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101ST CONGRESS
1st Session

SENATE

REPORT
101-138

HISTORY, JURISDICTION, AND A SUMMARY OF ACTIVITIES OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES DURING THE 100TH CONGRESS

COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

SEPTEMBER 20 (legislative day, SEPTEMBER 18), 1989.—Ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

21-583 WASHINGTON : 1989

S313-33

COMMITTEE ON ENERGY AND NATURAL RESOURCES

(101st Congress)

J. BENNETT JOHNSTON, Louisiana, *Chairman*

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FRANK M. CUSHING, *Staff Director for the Minority*
GARY G. ELLSWORTH, *Chief Counsel for the Minority*

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MEMORANDUM OF THE CHAIRMAN

To Members of the Senate Committee on Energy and Natural Resources:

The enclosed report reviews the accomplishments of the Committee in the 100th Congress.

J. BENNETT JOHNSTON, *Chairman.*

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History and Current Jurisdiction

HISTORY

Although the Federal Constitution does not even mention committees, the committee system was established by the First Congress. Our first lawmakers recognized the need for workable units to find facts and make policy recommendations, based on indepth study and expertise.

The present committee organization was created in 1977 by the "Committee System Reorganization Amendments of 1977" (S. Res. 4, 95th Cong.). The purpose of S. Res. 4 was to streamline the Senate's procedural organization by reorganizing the committee jurisdictions as reasonably as possible and within the hands of fewer committees.

CURRENT JURISDICTION

Under Senate Rule XXV(g) the jurisdiction of the Committee on Energy and Natural Resources extends to—

all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coal production, distribution, and utilization.
2. Energy policy.
3. Energy regulation and conservation.
4. Energy related aspects of deepwater ports.
5. Energy research and development.
6. Extraction of minerals from oceans and Outer Continental Shelf lands.
7. Hydroelectric power, irrigation, and reclamation.
8. Mining education and research.
9. Mining, mineral lands, mining claims, and conservation.
10. National parks, recreation areas, wilderness areas, wild and scenic rivers, historical sites, military parks and battlefields, and on the public domain, preservation of prehistoric ruins and objects of interest.
11. Naval petroleum reserves in Alaska.
12. Nonmilitary development of nuclear energy.
13. Oil and gas production and distribution.
14. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.
15. Solar energy systems.
16. Territorial possessions of the United States, including trusteeships.

At the beginning of the 100th Congress (1987), the Committee reorganized its subcommittees to reflect its anticipated oversight and legislative workload. Five subcommittees were established: the Subcommittee on Energy Regulation and Conservation; the Subcom-

mittee on Energy Research and Development; the Subcommittee on Mineral Resources Development and Production; the Subcommittee on Public Lands, National Parks and Forests and the Subcommittee on Water and Power.

Under the new subcommittee structure, the jurisdiction of the Subcommittee on Energy Regulation and Conservation includes oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g., wind, solar, ocean thermal energy conversion); liquified natural gas projects; oil and gas pipelines and pipeline regulation including regulation of Alaska Natural Gas Transportation System, Trans-Alaska Pipeline System, and other oil or gas pipeline transportation systems within Alaska (e.g., the Trans-Alaska Gas line system); regulatory functions of ERA; refinery policy; gasoline rationing; emergency preparedness; petroleum allocation; and coal conversion.

The jurisdiction of the Subcommittee on Energy Research and Development includes oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and nonnuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear facilities siting; and breeder reactor development.

The jurisdiction of the Subcommittee on Mineral Resources Development and Production includes oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production, distribution and utilization; oil and gas production and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation; royalty management; coal severance tax, Naval Petroleum and Oil Shale Reserves; deep water ports; and deep seabed mining.

The jurisdiction of the Subcommittee on Public Lands, National Parks and Forests includes oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management; National Forest System; National Park System; National Wilderness Preservation System; Wild and Scenic Rivers System; National Trails System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights; military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain, preservation of prehistoric ruins and objects of interest.

The jurisdiction of the Subcommittee on Water and Power includes oversight and legislative responsibilities for irrigation; reclamation projects, including related flood control purposes; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; groundwater re-

sources and management; small power producers; hydroelectric power; low head hydro.

In addition, numerous important matters were considered directly by the full Committee without initial reference to a subcommittee. In addition to Executive nominations, such matters include issues that (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

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Mr. J. BENNETT JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

SUMMARY OF 100TH CONGRESS LEGISLATIVE AND OVERSIGHT ACTIVITIES

SUMMARY

During the 100th Congress the Committee on Energy and Natural Resources conducted an extensive oversight and legislative program. A total of 391 bills and resolutions were referred for consideration to the Committee. Several other bills and resolutions under the Committee's jurisdiction were considered and passed by the Senate without Committee referral. In addition, the Committee received 23 nominations, 18 Presidential messages, and 443 Executive Communications.

In the aggregate, the Committee held 172 days of public hearings (including 19 field hearings) during the 100th Congress. These hearings encompassed 69 days of oversight, 95 days of legislative, and 8 days of nomination hearings. The Committee also held 48 business meetings and participated in 3 Senate-House conferences.

Action was completed on a broad range of oversight, legislative, and executive matters. Legislatively, 151 bills or resolutions, were reported by the Committee, and the Committee was discharged of 27 other measures.

The Congress enacted a total of 120 public laws within the jurisdiction of the Committee.

The President vetoed S. 1259, the Buffalo National River Park Right of Access in Arkansas and pocket vetoed two other bills: H.R. 2596, Admiralty Island National Monument Land Management Act of 1988 and S. 2751, Montana Natural Resources Protection and Utilization Act of 1988.

When the Congress adjourned sine die, 18 Senate-passed measures, within the jurisdiction of the Committee, were pending before

the House. Two other measures reported by the Committee were pending on the Senate Calender.

During the 100th Congress, 23 nominations were submitted by President Reagan and referred to the Committee. Of these, 17 were reported favorably by the full Committee and confirmed by the Senate. At the end of the 100th Congress, 6 were pending before the Committee.

The Committee filed 151 Senate Reports on measures reported by the Committee. The Committee also published 131 hearing records.

As discussed below, the four principal areas of Committee activity—budget, energy, natural resources, and territories—were distributed among the full Committee and five subcommittees.

FULL COMMITTEE

J. BENNETT JOHNSTON, *Chairman*

JURISDICTION

Numerous important matters were considered directly by the full Committee without initial reference to a subcommittee. During the 100th Congress the jurisdiction of the full Committee included oversight and legislative responsibilities for Strategic Petroleum Reserve; intergovernmental relations; Outer Continental Shelf leasing; investigation and oversight; international energy affairs; territorial affairs; and Antarctica. In addition, other issues are retained in the full Committee on an ad hoc basis. Generally, these are issues which (1) require extremely expenditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

OVERVIEW

Nominations

During the 100th Congress, 23 nominations were submitted by President Reagan and referred to the Committee. Of these, 17 were reported favorably by the full Committee and were confirmed by the Senate. At the end of the 100th Congress, 6 were pending before the Committee.

Presidential messages

Eighteen (18) Presidential messages were transmitted to the Committee during the 100th Congress dealing with a variety of subjects within the Committee's jurisdiction.

Executive communications

The Committee received a total of 443 Executive communications transmitting legislative recommendations and relating to the Committee's oversight responsibilities.

Reports and publications

During the 100th Congress the full Committee filed 151 Senate Reports on measures reported by the Committee.

The Committee also published 131 hearing records. Eight of these dealt with Presidential appointees, and the remaining publications provided background material pertinent to the Committee's legislative activities and oversight responsibilities.

In addition, the Committee published five Committee prints. They dealt with the Committee Rules, Membership and Jurisdiction; a Briefing on the Swedish Program on Nuclear Waste Man-

agement; a Workshop on Human Gene Mapping; the Costs and Benefits of Oil Import Fees; and the Mineral Leasing Act of 1920.

OVERSIGHT ACTIVITIES

Budget

During the 100th Congress, the full Committee conducted 13 days of oversight hearings on the President's proposed budget for fiscal years 1988 and 1989 for the Department of Energy, Department of the Interior, the U.S. Forest Service, and the Federal Energy Regulatory Commission. In addition, the Subcommittee on Energy Research and Development conducted 5 days of hearings on the Department of Energy's research and development programs.

Following these annual reviews of the President's proposed budgets for fiscal years 1988 and 1989, the Committee submitted its reports to the Senate Budget Committee. The Committee has noted in the past that programs within its jurisdiction have been cut substantially. The Committee was concerned that further budget cuts in national energy and natural resource activities may seriously weaken our Nation's energy and natural resources base, a base that is a vital part of our national economic strength. Therefore, the Committee recommended that programs within its jurisdiction, in general, be funded at an aggregate current services level.

Energy

The full Committee also conducted 22 days of oversight hearings on a variety of energy issues pertinent to its jurisdiction, including:

Oil Overcharge Prosecutions

The Committee held a hearing examining the legal and policy issues arising from the "central figure theory," adopted in *Citronelle—Mobile* v. *Herrington,* 826 F. 2d 16 (TECA 1987), which permitted DOE to seek restitution from individuals in oil overcharge cases. (Hearing held May 19, 1988)

Implementation of the Reclamation Reform Act of 1982

The full Committee held an oversight hearing on the implementation of the Reclamation Reform Act of 1982. Subsequently, amendments to the 1982 Act were included in section 5302 of Public Law 100-203, the Omnibus Budget Reconciliation Act of 1987.

Strategic Petroleum Reserve Fill Rate

On August 8, 1988, the full Committee held a hearing on the general status of the SPR—current size, drawdown capability, trends in the fill rate; and implications of the growing U.S. oil dependence. The Committee received testimony from the Department of Energy and witnesses from the investment banking community concerning alternative concepts for financing the purchase of oil to fill the SPR, expansion of the planned Reserve beyond 750 million barrels, and how that expansion should be financed.

Space Nuclear Power

On September 13, 1988, the Committee held a hearing on "Cosmos 1900 and the Future of Space Nuclear Power". In the fall of 1988 the world waited with some suspense to see whether a Soviet satellite called Cosmos 1900 containing a nuclear reactor would fall back to Earth possibly dispersing radioactive debris in the atmosphere or on the Earth's surface. Fortunately, as Cosmos 1900 descended, automatic equipment aboard the satellite boosted the reactor to high orbit where it will remain for centuries until the radioactivity diminishes.

The hearing focused on how the U.S. plans to use nuclear reactors in space and how we will avoid the safety problems that the Soviets experienced.

Global Climate Change/Greenhouse Effect

The full Committee held 3 days of hearings on the domestic and international implications of global climate change and strategies for controlling the generation of carbon dioxide and other trace gas "greenhouse" emissions. The purpose of the oversight hearings was to review current scientific understanding of the causes and consequences of global warming and climate change and to assess the implications of rising greenhouse gas emissions for U.S. energy, agricultural, water, and natural resource policy. The hearings addressed concerns by Members of this Committee regarding adverse impacts on sea levels, agricultural patterns, water supply, human health, and regional climate.

Nuclear Issues

Extensive hearings were held on several nuclear issues of concern to the Committee.

Nuclear Waste Disposal.—During 1987 the Committee developed a comprehensive record about the disposal of high-level radioactive wastes from commercial nuclear power.

On January 22, 1987, the full Committee was briefed on nuclear waste management programs in Sweden. The briefing was conducted by the President of the Swedish State Power Board to familiarize the Committee with methods of nuclear waste management in use in Sweden. Subsequently, 6 days of hearings were held by the full Committee on the U.S. program—on January 29, February 4, February 5, April 28, April 29, and June 29—as redirection of the program under the Nuclear Waste Policy Act of 1982 became a major effort of the Committee during the first session of the 100th Congress. This effort resulted in the enactment of the Nuclear Waste Policy Amendments Act of 1987. This legislation became law as title V of the fiscal year 1988 budget reconciliation legislation (Public Law 100-203).

Department of Energy Defense Production Facilities

The Committee held hearings on July 17 and October 27, 1987 on safety and environmental concerns at the Department of Energy's defense materials production reactors and the Department's plans to address these concerns.

LEGISLATIVE ACTIVITIES

During the 100th Congress, 34 Senate bills, 3 Senate resolutions, 2 Senate joint resolutions, 3 House bills, and 1 House joint resolution were referred for consideration, to the full Committee. The full Committee held 25 days of legislative hearings.

Budget

Subsequent to submission of its annual reports to the Budget Committee, the Committee, during each session of the 100th Congress, reported legislation to comply with its reconciliation instructions.

First session.—On September 23, 1987, the Committee, in accordance with H. Con. Res. 43, the Concurrent Resolution on the Budget for Fiscal Year 1988, reported its legislative recommendations necessary to comply with its reconciliation instructions. The Committee made four recommendations. The Committee recommended amending the Nuclear Waste Policy Act of 1982 and redirecting the nuclear waste program. Among the major changes proposed were alterations in the site characterization process for the permanent geologic repository, authorization of a monitored retrievable storage (MRS) facility to prepare and package spent fuel before shipment to a permanent repository, and delay in the work on a second repository.

Second, the Committee recommended that, with some exceptions, all Federal lands made available for oil and gas leasing be offered initially on a competitive basis. The minimum bid would be set at $10 per acre.

Third, the Committee recommended revising provisions in the Land and Water Conservation Fund Act relating to recreation fee collection, distribution and use. Some fees would be raised and other new fees would be imposed.

Finally, the Committee recommended repealing the permanent appropriation of funds for the Tongass Timber Supply Fund effective October 1, 1987 through September 30, 1989. In place of the permanent appropriation for this time period, the Committee would simply authorize the appropriation of $40 million annually to maintain the timber supply from the Tongass National Forest.

The Omnibus Budget Reconciliation Act of 1987 (P.L. 100–203) contained provisions in each of these areas. In addition, the Act provided for the sale of loans made by the Bureau of Reclamation.

Second Session.—The Concurrent Resolution on the Budget for Fiscal year 1989 (S. Con. Res. 113) did not contain reconciliation instructions for the Committee, hence, the Committee did not submit legislative recommendations.

Throughout the budgetary process the Committee opposed proposals to privatize the Power Marketing Administration of the Department of Energy. The Committee also opposed proposals to change the formula for the distribution of States and counties of Department of Agriculture timber sales receipts and Department of the Interior on-shore oil and gas leasing receipts on a net basis after deduction of program costs.

Price-Anderson Act

The Committee held a hearing on March 18, 1987 on the Price-Anderson Amendments Act of 1987. This legislation extended statutory authority for the indemnification of contractors operating or supplying nuclear facilities of the Department of Energy with respect to claims resulting from nuclear incidents at these facilities. This statutory authority expired on August 1, 1987. The Price Anderson Amendments Act was enacted into law on August 20, 1988 (Public Law 100-408).

Territories

During the 100th Congress, four Senate bills, one Senate joint resolution and one House joint resolution were referred to the full Committee.

The full Committee held 1 day of legislative hearings on the Senate resolution to authorize the entry into force of the "Compact of Free Association" between the United States and the Government of Palau (S.J. Res. 231).

Natural Gas

The Committee held a hearing on two bills (S. 1998 and S. 2313) to prohibit FERC from authorizing facilities that would directly connect interstate pipelines with industrial end users, thus bypassing the facilities of local distribution companies.

Legislative Hearings

During the 100th Congress, one Senate bill concerning global warming and the greenhouse effect was referred to the full Committee. S. 2667, the "National Energy Policy Act of 1988" contained 15 titles affecting the generation of greenhouse gas emissions including the following major provisions:

(1) development of a "least-cost national energy plan" designed to meet the goals of a 20 percent reduction in carbon dioxide generation by the year 2000;

(2) establishment of an Office of Climate Protection at the Department of Energy;

(3) establishment and funding of energy efficiency research and development projects;

(4) requirements for States to update their energy conservation plans and establish new energy conservation targets;

(5) authorization for renewable energy resources such as solar, fuel cells, fusion, wind, nuclear, and photovoltaic;

(6) funding for projects which demonstrate the feasibility of using natural gas as a fuel for mass transit systems;

(7) additional funding for new and continuing research initiatives at NASA, NOAA, USGS, NIST, and NSF; and

(8) a call for the convening of various international conferences on selected environmental and energy related issues.

The full Committee held 3 days of legislative hearings on S. 2667, the "National Energy Policy Act of 1988". One day of hearings was devoted to receiving testimony on Federal policies for controlling the generation of greenhouse gases and to accepting comments on S. 2667. In addition, the full Committee devoted 1 day of legislative

hearings to the effect of global climate change on domestic forest resources and the options for offsetting CO_2 emissions through reforestation and urban tree planting programs. An additional day of testimony was taken to explore the relationship of international deforestation and development policies to global atmospheric change as they pertain to S. 2667.

United States-Canada Free Trade Agreement

The Committee conducted a closed briefing on November 3, 1987 on the Agreement and hearings on April 19 and 21, 1988. The purpose of the hearings was to consider the implementation of the Agreement and its potential impact on energy and natural resource industries, particularly the natural gas and electricity sectors. On July 25, 1988, the Administration submitted to Congress a draft bill implementing the Agreement, a Statement of Administrative Action, and a statement of how the Agreement serves the interests of United States commerce, as required by the "fast track" procedures of the Trade Act of 1974 (19 U.S.C. 2112, 2191). The actual implementing bill, S. 2651, was introduced, by request, by the Majority and Minority Leaders on July 25, 1988, and jointly referred to the Committees on Energy and Natural Resources; Judiciary; Agriculture, Nutrition and Forestry; Banking, Housing and Urban Affairs; and Finance.

A companion bill, H.R. 5090, was introduced on July 26, 1988 by the House Majority and Minority Leaders, by request, and was jointly referred to eight committees of jurisdiction. On August 10, 1988, at the Committee business meeting, H.R. 5090 (in lieu of S. 2651) was ordered reported favorably without amendment and with accompanying report language. (Senate Rept. 100–509). (Public Law 100–449).

MEASURES ENACTED INTO LAW

Public Law 100–531 (S. 836)—Mr. Johnston, by request: An Act to amend the Department of Energy Organization Act to authorize protective force personnel who guard the strategic petroleum reserve or its storage and related facilities to carry firearms while discharging their official duties and in certain instances to make arrest without warrant; to establish the offense of trespass on property of the strategic petroleum reserve.

Public Law 100–373 (S. 2203)—Mr. Johnston, by request, et al.: An Act to extend the expiration date of Title II of the Energy Policy and Conservation Act.

Public Law 100–439 (H.R. 2701)—Mr. Barton: An Act to amend the Natural Gas Policy Act of 1978 to remove certain contract duration and eight of first refusal requirements.

Public Law 100–473 (H.R. 2858)—Mr. Bruce: An Act to provide for refunds pursuant to rate decreases under the Federal Power Act.

Public Law 100–449 (H.R. 5090)—Mr. Foley, by request, et al.: An Act to implement the United States-Canada Free Trade Agreement.

Public Law 100–610 (H.R. 4517)—Mr. Jones, of North Carolina: An Act to amend title III of the Outer Continental Shelf Lands Act

Amendments of 1978 to provide for indemnification and hold harmless agreements.

RELATED PUBLIC LAWS

Public Law 100-202 (H.J. Res. 395)—Mr. Whitten: An Act making further continuing appropriations for the fiscal year 1988, and for other purposes.

Public Law 100-203 (H.R. 3545)—Mr. Gray: An Act to provide for reconciliation pursuant to section 4 of the concurrent resolution on the budget for fiscal year 1988.

Public Law 100-395 (H.R. 2629)—Mr. Young, of Alaska: An Act to amend the Alaska National Interest Lands Conservation Act of 1980 to clarify the conveyance ad ownership of submerged lands by Alaska Natives, Native Corporations and the State of Alaska.

OTHER MEASURES ACTIVELY CONSIDERED

S. 748, Mr. Johnston, Mr. McClure and Mr. Domenici: A bill to amend the Atomic Energy Act of 1954, as amended, to establish a comprehensive, equitable, reliable, and efficient mechanism for full compensation of the public in the event of an accident resulting from activities undertaken under contract with the Department of Energy. (Reported to the Senate with amendments and an amendment to the title. S. Rept. 100-70)

S. 839, Mr. Johnston, Mr. McClure and Mr. Warner, Mr. Symms and Mr. Wallop: A bill to authorize the Secretary of Energy to enter into incentive agreement with certain States and affected Indian tribes concerning the storage and disposal of high-level radioactive waste and spent nuclear fuel, and for other purposes. (Full committee business meeting; ordered reported an original bill in lieu of S. 839)

S. 879, Mr. Byrd, Mr. Ford, Mr. Heflin, Mr. Shelby, Mr. Daschle, Mr. McConnell, Mr. Gore, Mr. Rockefeller, Mr. Warner, Mr. Heinz, Mr. Specter, Mr. Dixon and Mr. Sasser: A bill to encourage the deployment of clean coal technologies so as to assure the development of additional electric capacity. (Hearing held. S. Hrg. 100-428.)

S. 1007, Mr. Hatfield, Mr. Hecht and Mr. Packwood: A bill entitled "Geothermal Steam Act Amendments of 1987. (Hearing held. S. Hrg. 100-293.)

S. 1047, Mr. Johnston (by request): A bill to modify section 301 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes. (Passed Senate and House.)

S. 1141, Mr. Hecht and Mr. Evans: A bill entitled "Nuclear Energy Waste Policy Act of 1987." (Hearings held S. Hrg. 100-293.)

S. 1211, Mr. Hecht: A bill entitled "Nuclear Waste Reprocessing Study Act of 1987. (Hearings held. S. Hrg. 100-293.)

S. 1217, Mr. Murkowski, Mr. Stevens, Mr. Garn, Mr. Gramm, Mr. Nickles, Mr. Symms, Mr. Cochran, Mr. Helms and Mr. Heflin: A bill to amend the Mineral Leasing Act of 1920 to authorize the Secretary of the Interior to lease, in an expeditious and environmentally sound manner the public lands within the Coastal Plain of the North Slope of Alaska for oil and gas exploration, development, and production. (Hearings held. S. Hrg. 100-452.)

S. 1266, Mr. Evans, Mr. Murkowski and Mr. Hecht: A bill to provide for the establishment of regional monitored retrievable storage facilities by the Secretary of Energy as a way to resolve the problem of high-level radioactive waste storage, and for other purposes. (Hearings held. S. Hrg. 100–293.)

S. 1428, Mr. Hecht, Mr. Reid and Mr. Evans: A bill entitled the "Subseabed Nuclear Waste Disposal Research Act of 1987. (Hearings held. S. Hrg. 100–293.)

S. 1481, Mr. Johnston, Mr. McClure and Mr. Wallop: A bill to redirect the program for the disposal of spent nuclear fuel and high-level radioactive waste under the Nuclear Waste Policy Act of 1982 to achieve budget savings, and for other purposes. (Full committee business meeting; ordered reported an original bill in lieu of S. 1481.)

S. 1493, Mr. Bradley, Mr. Dodd, Mr. Kennedy and Mr. Bumpers: A bill to clarify the authority of the Secretary of the Interior and to make land exchanges within the Arctic National Wildlife Refuge. (Passed Senate.)

S. 1567, Mr. Bumpers, Mr. Chafee, Mr. Pell, Mr. Conrad, Mr. Proxmire, Mr. Weicker, Mr. Dodd, Mr. Inouye, Mr. Baucus, Mr. Stafford, Mr. Metzenbaum, Mr. Daschle, Mr. Kerry, Mr. Dixon and Mr. Adams: A bill to provide for refunds pursuant to rate decreases under the Federal Power Act. (Hearing held. S. Hrg. 10–542 and full committee business meeting; adopted an amendment in the nature of a substitute; ordered reported H.R. 2858 in lieu of S. 1567.)

S. 1846, Mr. Johnston: A bill to provide for a viable domestic uranium industry, to establish a program to fund reclamation and other remedial actions with respect to mill tailings at active uranium and thorium sites, to establish a wholly-owned Government Corporation to manage the Nation's uranium enrichment enterprise, operating as a continuing, commercial enterprise on a profitable and efficient basis, and for other purposes. (Reported as an original bill. S. Rept. 100–214) (See S. 2097.)

S. 1998, Mr. Breaux, Mr. Grassley and Ms. Mikulski: A bill to regulate interstate natural gas pipelines providing transportation service which bypass local distribution companies and to encourage open access transportation by local distribution companies at cost-based rates. (Hearing held. S. Hrg. 100–951.)

S. 2179, Mr. Ford, et al.: A bill to amend the Petroleum Marketing Practices Act. (Hearing held. October 4, 1988.)

S. 2313, Mr. Cranston: A bill to coordinate the regulatory authority of the Federal Energy Regulatory Commission with that of State or local regulatory agencies relative to service which would bypass local utility service and to facilitate the resolution at the State or local regulatory level of competition policy issues relating to local service. (Hearing held. S. Hrg. 100–951.)

S. 2651, Mr. Byrd and Mr. Dole (by request): A bill to implement the United States-Canada Free Trade Agreement. (Full committee business meeting; ordered reported without amendment.)

S. 2667, Mr. Wirth, Mr. Johnston, Mr. Bumpers, Mr. Fowler, Mr. Matsunaga, Mr. Pell, Mr. Melcher, Mr. Sanford, Mr. Baucus, Mr. Chafee, Mr. Danforth, Mr. Bingaman, Mr. Inouye, Mr. Heinz, Mr. Evans, Mr. Harkin, and Mr. Breaux: A bill to establish a National

Energy Policy to reduce global warming, and for other purposes. (Hearings held. S. Hrg. 100–923.)

S.J. Res. 231, Mr. Johnston, Mr. McClure and Mr. Armstrong: A bill to authorize the entry into force of the "Compact of Free Association" between the United States and the Government of Palau, and for other purposes. (Hearing held. S. Hrg. 100–498; reported to the Senate with an amendment in the nature of a substitute and with a preamble.)

H.J. Res. 597, Mr. de Lugo, et al.: A bill to authorize entry into force of the Compact of Free Association between the United States and the Government of Palau, and for other purposes.

SUBCOMMITTEE ON ENERGY REGULATION AND CONSERVATION

HOWARD M. METZENBAUM, Ohio, *Chairman*

BILL BRADLEY, New Jersey	DON NICKLES, Oklahoma
JEFF BINGAMAN, New Mexico	LOWELL P. WEICKER, Jr., Connecticut
WYCHE FOWLER, Jr., Georgia	DANIEL J. EVANS, Washington

JURISDICTION

During the 100th Congress the jurisdiction of the Subcommittee on Energy Regulation and Conservation included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g., wind, solar, ocean thermal energy conversion); liquefied natural gas projects; oil and gas pipelines and pipeline regulation; regulatory functions of ERA; refinery policy; gasoline rationing; natural gas pricing and regulation; emergency preparedness, petroleum allocation and coal conversion (Fuel Use Act).

OVERSIGHT ACTIVITIES

The Subcommittee held 2 days of oversight hearings as follows: national oil security policy (1 day); and Iroquois gas pipeline system (1 day). Oversight activities of particular importance were:

National Oil Security Policy

The Subcommittee held a hearing on national oil security policy. The hearing examined the implications of an amendment proposed to the omnibus trade bill which would require the President, under section 232(b) of the Trade Expansion Act of 1962, to develop and implement policies to prevent crude and oil product imports from exceeding a 50 percent ceiling, or a lower ceiling if the President so chooses. The hearing examined the costs and benefits of the options, such as quotas and import fees, available to the President to limit oil imports.

Iroquois Gas Pipeline System

The Subcommittee also held a hearing on the proposed Iroquois gas pipeline which would transport Canadian natural gas into lower New York State and Connecticut.

LEGISLATIVE ACTIVITIES

During the 100th Congress, 12 Senate bills and one House bill were referred to the Subcommittee.

The Subcommittee held hearings on S. 85, to amend the Powerplant and Industrial Fuel Use Act of 1978 by repealing the prohibition on the use of natural gas and petroleum as primary fuels for electric powerplants and major fuel-burning installations; S. 1717 (H.R. 2884) regarding jurisdiction for the transportation of natural

gas by 7(f) companies, and on S. 2179, to amend the Petroleum Marketing Practices Act.

In addition, the Subcommittee held hearings on energy conservation legislation related to: S. 83, to reduce the Nation's consumption of energy and to reduce the regulatory and economic burdens on the appliance manufacturing industry through the establishment of national energy conservation standards for major residential appliances; S. 1382, to improve the Federal Energy Management program; S. 2167, establishing energy conservation standards for fluorescent lamp ballasts; and S. 2470, to promote energy conservation and technology competitiveness in the American steel and aluminum industries by providing Federal incentives for the establishment of public-private sector research and development partnerships.

MEASURES ENACTED INTO LAW

Public Law 100-12 (S. 83), Mr. Johnston, et al.: An Act to amend the Energy Policy and Conservation Act to provide for Federal energy conservation standards for household appliances.

Public Law 100-42 (S. 85), Mr. Johnston, et al.: An Act to amend the Powerplant and Industrial Fuel Use Act of 1978 to repeal the end use constraints on natural gas, and to amend the Natural Gas Policy Act of 1978 to repeal the incremental pricing requirements.

Public Law 100-357 (S. 2167), Mr. Metzenbaum, et al.: An Act to amend the Energy Policy and Conservation Act to provide for Federal energy conservation standards for fluorescent lamp ballasts.

Public Law 100-615 (S. 1382), Mr. Metzenbaum, et al.: An Act to amend the National Energy Conservation Policy Act to improve the Federal Energy Management program, and for other purposes.

Public Law 100-680 (S. 2470), Mr. Metzenbaum, et al.: An Act to promote technology competitiveness and energy conservation in the American steel and aluminum industries.

Public Law 100-474 (S. 1717, H.R. 2884), Mr. Grassley, et al.: An Act to assure uniformity in the exercise of regulatory jurisdiction pertaining to the transportation of natural gas and to clarify that the local transportation of natural gas by a distribution company is a matter within State jurisdiction and subject to regulation by State commissions, and for other purposes. (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 100-486). Substitute passed House.

OTHER MEASURES ACTIVELY CONSIDERED

S. 85, Mr. Johnston, Mr. Bingaman, Mr. Breaux, Mr. Domenici, Mr. Nickles, Mr. Pell, Mr. Bumpers, Mr. Bentsen, Mr. Dole, Mr. Melcher, Mr. Hecht, Mr. Wirth, Mr. Cochran, Mr. Gramm, Mr. Boren, Mr. Pryor, Mr. Murkowski and Mr. Chiles: A bill to amend the Powerplant and Industrial Fuel Use Act of 1978 to repeal the end use constraints on natural gas, and to amend the Natural Gas Policy Act of 1978 to repeal the incremental pricing requirements. (Hearing held. S Hrg. 100-45) (Reported to Senate with amendments. S. Rept. 100-30) (See Public Law 100-42.)

S. 1717, Mr. Grassley, Mr. Harkin, Mr. Rockefeller and Mr. Trible: A bill to assure uniformity in the exercise of regulatory ju-

risdiction pertaining to the transportation of natural gas and to clarify that the local transportation of natural gas by a distribution company is a matter within State jurisdiction and subject to regulation by State commission, and for other purposes. (Hearing held. S. Hrg. 100–847) (See Public Law 100–474.)

S. 2179, Mr. Ford, et al.: A bill to amend the Petroleum Marketing Practices Act. (Hearing held. S. Hrg. 100–973.)

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

WENDELL H. FORD, Kentucky, *Chairman*
WYCHE FOWLER, Jr., Georgia, *Vice Chairman*

DALE BUMPERS, Arkansas
HOWARD M. METZENBAUM, Ohio
JOHN MELCHER, Montana
PETE V. DOMENICI, New Mexico
DANIEL J. EVANS, Washington
LOWELL P. WEICKER, Jr., Connecticut
CHIC HECHT, Nevada

JURISDICTION

The jurisdiction of the Subcommittee on Energy Research and Development included oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and nonnuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear facilities siting; and breeder reactor development.

OVERSIGHT ACTIVITIES

The Subcommittee on Energy Research and Development held 10 days of energy oversight hearings: on the President's proposed fiscal year 1988 and 1989 budgets for Department of Energy research and development programs on Renewable Energy Technologies and Conservation and Solar Energy Research and Development (3 days); the Department of Energy's Uranium Enrichment Program and the Domestic Uranium Mining Industry (2 days); Clean Coal Technologies (3 days); and the Superconducting Super Collider and the Basic Science Budget (2 days). (In addition, the full Committee held 1 day of hearings on the fiscal year 1989 budget request for the Office of Civilian Radioactive Waste Management.)

Other oversight activities include hearings on the status of the Department of Energy's Facilities for Defense Materials Production (1 day of Subcommittee hearings and 2 days of full Committee hearings); the status of the Department of Energy's Advanced Reactor Development Program (1 day); and the status of the Great Plains Coal Gasification Project (1 day).

A field hearing (1 day) was held in Atlanta, Georgia on the current status of solar energy and development in the Federal Government, Mr. Fowler chaired. Also two Committee Prints were compiled by the Subcommittee on the Swedish Nuclear Waste Management Program and a Workshop on Human Gene Mapping.

Oversight activities of particular importance were:

Superconducting Super Collider

The Subcommittee held 2 days of hearings on the SSC and the budgetary effects on other basic energy science projects. During the 100th Congress the Reagan Administration reaffirmed its support for the SSC project by requesting over $500 million for fiscal year

1988 and fiscal year 1989 to fund this project. The Congress appropriated over $130 million during fiscal year 1988 and 1989 for research and development, but refused to authorize construction of the facility. The Subcommittee's hearings revealed considerable doubt that the SSC can receive full funding without affecting the level of appropriations for other fundamental science programs supported by the Department of Energy.

Clean Coal Technologies

The Subcommittee held 3 days of hearings on the Department of Energy's Clean Coal Technology Program, including one full Committee hearing on S. 879, the Clean Coal Deployment Act. The President announced a three-point program "to ensure that the United States continues to work closely with the Canadian Government in determining and addressing the environmental effects of acid rain." This program included: a $2.5 billion 5-year research program for innovative control technologies; the establishment of a panel to advise the Secretary of Energy on the funding and the selection of innovative control technology projects; and a review by the President's Task Force on Regulatory Relief of the incentives and disincentives to the deployment of new emissions reduction measures now inhibited by various Federal, State and local regulations.

Uranium Industry Viability and Uranium Enrichment

The Subcommittee held 2 days of hearings on the viability of the domestic uranium mining and milling industry and on the status of the Department of Energy's uranium enrichment program. For the fourth year in a row, the Secretary of Energy has declared the domestic uranium mining and milling industry to be not viable, pursuant to the provisions of Section 170B of the Atomic Energy Act of 1954. The Department of Energy uranium enrichment program has lost 50 percent of its world market share in the last decade. DOE's lack of competitiveness stems in part from attempting to operate as a business while under the administrative and financial constraints of a Government agency.

Conservation and Solar Energy Research

The Subcommittee held three hearings on this subject, including hearings on legislation (S. 1554) introduced to promote continued research and development in conservation and solar energy. During the hearings the subcommittee held on this subject, witnesses stressed the need for stable and predictable funding for research efforts and the need to continue support for renewable technologies right up to the threshold of commercialization. S. 1554 was introduced to obtain some agreement between Congress and the Administration about the goals of existing R&D programs in renewable energy and energy efficiency and to provide stable multiyear funding targets to achieve those goals. This legislation was reported by the Committee in the final days of the 100th Congress. It is anticipated that similar legislation will be introduced in the 101st Congress.

Advanced Reactor Development

The Subcommittee held one hearing on the Department of Energy's program of advanced nuclear reactor research and development. In the U.S. over 100 nuclear plants are operating and producing 18 percent of our total supply of electricity. Yet, the building of nuclear power plants has come to a standstill with little prospect in sight of an order for a new nuclear plant. Legislation aimed at restructuring DOE's advanced nuclear reactor R&D program was introduced (S. 2779). It is anticipated that the subcommittee will continue to work on this issue into the 101st Congress.

LEGISLATIVE ACTIVITIES

During the 100th Congress, 12 Senate bills and 2 House bills were referred to the Subcommittee. The Subcommittee held a total of 7 days of legislative hearings. Two days of hearings were held on S. 1084 and S. 1100, Restructuring the Department of Energy's Uranium Enrichment Program and Revitalizing the Domestic Uranium Industry. The full Committee addressed these bills during 2 business meetings, and reported an original bill, S. 1846 on October 1, 1987 (S. Rpt. 100-214). The full Committee addressed the issue again on February 25, 1988 and reported an original bill, S. 2097 (previous report applies).

The Subcommittee held 1 day of hearings on two related bills, S. 1320 and S. 1554, the Solar Development Initiative Act of 1987 and the Renewable Energy and Energy Conservation Competitiveness Act of 1987. Following one full Committee business meeting, S. 1554 was reported to the Senate on September 22, 1988 (S. Rpt. 100-523).

The Subcommittee held 1 day of hearings on three related bills, S. 1294, S. 1295, dealing with Fuel Cell Technology, S. 1296, dealing with Hydrogen Research and Development. The Committee addressed S. 1294 and S. 1295, and reported those two bills to the Senate on August 5, 1988 (S. Rpt. 100-547, S. Rpt. 100-548). These bills passed the Senate on August 11, 1988.

In addition, the Subcommittee held 3 days of hearings on S. 1480, the Department of Energy National Laboratory Cooperative Research Initiatives Act. The full Committee addressed this legislation during a business meeting and reported it to the Senate on September 23, 1988 with an amendment (S. Rpt. 100-544). (Also, the full Committee held 1 day of hearings on S. 879, the Clean Coal Technology Deployment Act.)

Other bills referred to the subcommittee were S. 2779, a bill to redirect existing programs in nuclear fission research at the Department of Energy and establish a program for research, development, and demonstration of advanced technologies for the generation of commercial electric power from nuclear fission; and, S. 2879 and S. 2886, bills to provide a method under which the State of New Mexico can continue certain Federal highway road work—these bills direct the Secretary of Energy to enter into an agreement with the State of New Mexico to reimburse it for costs incurred from the construction of certain transportation routes for radioactive waste generated during defense-related activities—

S. 2886 passed the Senate without amendment and was sent to the House.

MEASURES ENACTED INTO LAW

Public Law 100-616 (S. 1991, Mr. Wirth): An Act entitled the Uranium Mill Tailings Remedial Act Amendments Act of 1988.

RELATED PUBLIC LAW

Public Law 100-697, (H.R. 3048, Mr. McCurdy): An Act to establish a national Federal program effort in close collaboration with the private sector to develop as rapidly as possible the applications of superconductivity to enhance the Nation's economic competitiveness and strategic well-being.

OTHER MEASURES ACTIVELY CONSIDERED

S. 1084, Mr. Ford and Mr. Johnston: A bill to establish the amount of the costs of the Department of Energy's uranium enrichment program that have not previously been recovered from enrichment customers in the charges of the Department of Energy to its customers. (Hearings held. S. Hrg. 100-347) (See S. 1846.)

S. 1100, Mr. Domenici, Mr. Simpson, Mr. Bingaman and Mr. Wallop: A bill to authorize and direct the Secretary of Energy to establish a program to provide for reclamation and other remedial actions with respect to mill tailing at active uranium and thorium processing sites. (Hearings held. S. Hrg. 100-347.) (See S. 1846.)

S. 1294, Mr. Matsunaga, Mr. Weicker, Mr. Inouye, Mr. Murkowski, Mr. Bingaman and Mr. Hecht: A bill to promote the development of technologies which will enable fuel cells to use alternative fuel sources. (Hearings held. S. Hrg. 100-501.) (Reported to Senate with amendments. S. Rept. 100-457.)

S. 1295, Mr. Matsunaga, Mr. Weicker, Mr. Inouye, Mr. Murkowski, Mr. Bingaman, and Mr. Hecht: A bill to develop a national policy for the utilization of fuel cell technology. (Hearings held. S. Hrg. 100-501.) (Reported to Senate with amendment. S. Rept. 100-458.)

S. 1296, Mr. Matsunaga: A bill to establish a hydrogen research and development program. (Hearing held. S. Hrg. 100-501.)

S. 1320, Mr. Bumpers, et al.: A bill to provide adequate funding levels for solar energy research and development to encourage Federal procurement of solar energy systems, to encourage Federal loans for solar energy equipment, to enhance the international competitiveness of the solar industry, and for other purposes. (Hearing held. S. Hrg. 100-348.)

S. 1480, Mr. Domenici, Mr. Wilson, Mr. Murkowski and Mr. Bingaman: A bill to improve the integration of universities and private industry into the national laboratory system of the Department of Energy in order to speed the development of technology in areas of significant economic potential. (Hearing held. S. Hrg. 100-602, Pt. 1 and Pt. 2.) (Reported to Senate with an amendment in the nature of a substitute. S. Rept. 100-544.)

S. 1554, Mr. Fowler, et al.: A bill to provide Federal assistance and leadership to program of research, development and demonstration of renewable energy and energy conservation, and for

other purposes. (Hearing held. S. Hrg. 100–348.) (Reported to Senate with an amendment in the nature of a substitute. S. Rept. 100–523.)

S. 2779, Mr. Johnston: A bill to redirect existing programs in nuclear fission research at the Department of Energy and establish a program for research, development, and demonstration of advanced technologies for the generation of commercial electric power from nuclear fission, and for other purposes.

H.R 4505, Ms. Lloyd: A bill to authorize appropriations to the Department of Energy for civilian research and development programs for fiscal year 1989. (Passed House.) (Referred to Senate Energy Committee.) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title (S. Rept. 100–550).) (Passed Senate.)

H.R 5132, Ms. Lloyd: A bill to improve the transfer of technology developed by the Department of Energy National Laboratories. (Passed House.) (Referred to Senate Energy Committee.)

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION

JOHN MELCHER, Montana, *Chairman*
TIMOTHY E. WIRTH, Colorado, *Vice Chairman*

WENDELL H. FORD, Kentucky
JEFF BINGAMAN, New Mexico
KENT CONRAD, North Dakota
CHIC HECHT, Nevada
DON NICKLES, Oklahoma
MALCOLM WALLOP, Wyoming
FRANK H. MURKOWSKI, Alaska

JURISDICTION

The jurisdiction of the Subcommittee includes oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production, distribution and utilization; oil and gas production and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation; royalty management; coal severance tax, Naval Petroleum and Oil Shale Reserves; deep water ports; and deep seabed mining.

OVERSIGHT ACTIVITIES

The Subcommittee held 6 days of oversight hearings on the valuation of natural gas production (1 day), and coal (1 day) from onshore Federal and Indian leases, the state of information relating to the quality and recoverability of U.S. coal reserves (1 day), the patenting of oil shale mining claims (1 day), and the Department of the Interior's Royalty Management Program (2 days).

Oversight activities of particular importance were:

Oil Shale Mining Claims

The Subcommittee held a hearing to consider the processing of oil shale mining claims and patents by the Department of the Interior under the Mining Law of 1872. The Subcommittee reviewed the status of the mining claims and patent applications and examined standards to be used in processing patent applications.

Royalty Management

The Subcommittee held a hearing on the Department of the Interior's Royalty Management Program, focusing on audit reports issued by the Inspector General of the Department of the Interior. The reports criticized the program in the following areas: the collecting, disbursing and accounting of mineral revenues; audit coverage; the timeliness of product valuation regulations, and the Inspection and Enforcement Program.

The Subcommittee also held a hearing that reviewed the oil and gas collection, disbursement, fiscal accounting, auditing, and site

security aspects of royalty management on Federal and Indian lands.

Coal Product Valuation

The Subcommittee held a hearing on the proposed rules issued by the Department of the Interior relating to the valuation for royalty purposes of coal production from Federal and Indian leases.

LEGISLATIVE ACTIVITIES

During the 100th Congress, 22 Senate bills and 4 House bills were referred to the Subcommittee. In addition, 1 House-passed measure within the Subcommittee's jurisdiction was held at the Senate desk without referral to the Committee.

The subcommittee held 7 days of legislative hearings on 9 of these measures. Those of particular interest included:

Federal Onshore Competitive Oil and Gas Leasing Act of 1987.—The Federal Onshore Oil and Gas Leasing Act of 1987 (Reform Act) is included as Title V of Public Law No. 100-203, the Omnibus Reconciliation Act of 1987. The Reform Act eliminates the "known geologic structure" (KGS) designation, previously used as a means of determining which lands are to be leased competitively. Instead, the legislation establishes a two-tier leasing system for Federal onshore oil and gas lands. All lands available for leasing are to be made available initially on a competitive bid basis, and lands for which no bid is received or for which the highest bid is less than the national minimum acceptable bid are available for leasing on a non-competitive basis for 2 years. At the end of 2 years, unleased lands would again be available for leasing only through competitive sale.

Geothermal Steam Act Amendments.—Public Law No. 100-443 amends the Geothermal Steam Act of 1970 to provide for extensions of the primary term of geothermal leases. The Act also designates certain thermal features within the National Park System as significant thermal features to be protected. The law provides for a study of the impact of present and potential geothermal development in the Corwin Springs Known Geothermal Resource Area on the thermal features of Yellowstone National Park. Any geothermal development in the area is prohibited until 180 days after study completion. A study on the presence or absence of significant thermal features within Crater Lake National Park is also required by the Act.

Coal Leasing and Utilization Act (S. 1120).—The Subcommittee held a hearing on S. 1120, and the bill was subsequently considered but not reported, by the full Committee. S. 1120, as introduced, modified the existing 10-year diligent development deadline of the Mineral Leasing Act by allowing Federal coal lessees to continue to hold a lease for 20 years by paying diligent development advance royalties and by making a "substantial investment" in the lease. The bill also included provisions that exempted mined-out leases from certain requirements, and modified requirements regarding logical mining units. Provisions from other legislation to modify the coal leasing program were also discussed.

Mining and Mineral Resources Research Institute Amendments of 1988.—Public Law No. 100–483 amends an Act to establish a State Mining and Mineral Resources Research Institute program (Pub. L. No. 98–409), to reauthorize the program for fiscal years 1990 through 1994. The Act authorized funds to be appropriated for State allotment grants for each qualified mineral institute and research funds for specific mineral research projects.

Coal Distribution and Utilization Act of 1987.—S. 801 was reported by the Committee but was not enacted into law. The purpose of the measure is to facilitate the development of interstate coal pipeline distribution systems, subject to the primacy of State water law. The bill accomplished this by granting the Federal power of eminent domain to those interstate coal pipeline distribution systems that are determined by the Secretary of Energy to be in the national interest based on certain statutory findings. The bill ensured, through the delegation of Congressional power under the Commerce Clause, primacy of State law and procedure regarding water used in interstate coal pipeline distribution system.

Oil Shale Mining Claims Conversion Act.—The Subcommittee held a hearing on two measures (S. 2089 and H.R. 1039) dealing with unpatented oil shale claims. Testimony was received from the Department of the Interior, an environmental organization, oil shale claimants, and professors of law who addressed the issue of legislative takings. The Committee took no further action on either of these measures.

MEASURES ENACTED INTO LAW

Public Law 100–483 (S. 2240, Mr. Johnston), (H.R. 3977, Mr. Rahall): An Act to authorize appropriations for the Mining and Mineral Resources Research Institute Act for fiscal years 1990 through 1994.

Public Law 100–441 (S. 52, Mr. Pressler): An Act to direct the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program.

Public Law 100–443 (S. 1889, Mr. Melcher): An Act to amend the Geothermal Steam Act of 1970 with respect to requirements relating to leases.

Public Law 100–234 (S. 3479, Mr. Udall): An Act to provide for adjustments of royalty payments under certain Federal onshore and Indian oil and gas leases (Notice to Lessees–5).

Public Law 100–34 (S. 643): An Act to amend section 402 of the Surface Mining Control and Reclamation Act (SMCRA) to permit States to set aside in a special trust fund up to 10 percent of the annual State funds from the abandoned Mine Land Reclamation Fund for expenditure in the future for purposes of abandoned mine reclamation. The Act also repeals the 2-acre exemption contained in Section 528 of SMCRA.

OTHER MEASURES ACTIVELY CONSIDERED

S. 66, Mr. Bumpers, Mr. Ford, Mr. Pryor, Mr. Bradley and S. 1730 Mr. Johnston: A bill to provide for competitive leasing for onshore oil and gas. (S. Hrg. 100–464) (S. Rept. 100–188) (See Pub. Law 100–203).

S. 643, Mr. Wallop and Mr. Simpson: A bill to amend section 402 of the Surface Mining Control and Reclamation Act of 1977 to permit States to set aside in a special trust fund up to 10 percent of the annual State allocation from the Abandoned Mine Land Reclamation fund for expenditure in the future for purposes of abandoned mine reclamation. (Hearings held S. Hrg. 100-30.) (Reported to Senate. S. Rept. 100-37.) (See Public Law 100-34.)

S. 801, Mr. Johnston, Mr. Bradley, Mr. Breaux, Mr. Bumpers, Mr. DeConcini, Mr. McCain, Mr. McClure, Mr. Matsunaga, Mr. Murkowski, Mr. Nickles, Mr. Stevens, Mr. Boren, Mr. Inouye, Mr. Garn, Mr. Cochran, Mr. Simpson, Mr. Wilson, Mr. Gramm, Mr. Graham and Mr. Sanford: A bill to facilitate the national distribution and utilization of coal. (Hearing held. S. Hrg. 100-489. Full committee business meeting ordered reported as amended. S. Rept. 100-325).

S. 1120, Mr. Melcher and Mr. Johnston: A bill to amend the Mineral Lands Leasing Act of 1920 to improve the administration of the Federal Coal Leasing Program, and for other purposes. (Hearing held. S. Hrg. 100-555).

S. 1388, Mr. Melcher: A bill to amend the Act of February 25, 1920, to reform Federal onshore oil and gas leasing procedures. (Hearing held. S. Hrg. 100-464.) (See Public Law 100-203.)

S. 2089, Mr. Melcher and Mr. Wirth: A bill to provide for certain requirements relating to the conversion of oil shale mining claims located under the General Mining Law of 1872 to leases, and for other purposes. (Hearing held. S. Hrg. 100-744.)

S. 2227, Mr. Bumpers, Mr. Pryor: A bill to authorize competitive leasing of quartz mineral deposits in the Ouachita National Forest. (See Pub. Law 100-446.)

S. 2240, Mr. Johnston, Mr. Burdick, Mr. Conrad, Mr. Domenici, Mr. Melcher, Mr. Symms, Mr. Warner, Mr. Simpson, Mr. McCain, Mr. Shelby, Mr. Bingaman, and Mr. Hecht: A bill to amend the act to reauthorize the State Mining and Mineral Resources Research Institute Program, and for other purposes. (Hearing held. S. Hrg. 100-849.) (See Public Law 100-483.)

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

DALE BUMPERS, Arkansas, *Chairman*
JEFF BINGAMAN, New Mexico, *Vice Chairman*

JOHN MELCHER, Montana
BILL BRADLEY, New Jersey
TIMOTHY E. WIRTH, Colorado
WYCHE FOWLER, Jr., Georgia
KENT CONRAD, North Dakota
MALCOLM WALLOP, Wyoming
LOWELL P. WEICKER, Jr., Connecticut
MARK O. HATFIELD, Oregon
PETE V. DOMENICI, New Mexico
FRANK H. MURKOWSKI, Alaska
CHIC HECHT, Nevada

JURISDICTION

The jurisdiction of the Subcommittee on Public Lands, National Parks and Forests included oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management, National Forest System, National Park System, National Wilderness Preservation System, and Wild and Scenic Rivers System; National Trail System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights; military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain, preservation of prehistoric ruins and objects of interest.

OVERSIGHT ACTIVITIES

The Subcommittee held an oversight hearing on the subject of fire management policies of the Forest Service and the National Park Service.

The Subcommittee received testimony from the Departments of the Interior and Agriculture on their current policies regarding fire management on lands administered by the National Park Service and the Forest Service, how these policies were formulated, and the manner in which they were implemented with respect to fires during the summer of 1988 in and around Yellowstone National Park. Witnesses from the Forest Service and Park Service discussed the historical background and ecological basis for their current policies and outlined the role natural fire plays within specific forest ecosystems.

LEGISLATIVE ACTIVITIES

During the 100th Congress, 158 Senate bills, 4 Senate joint resolutions, 83 House bills, and 1 House joint resolution were referred to the Subcommittee.

The Subcommittee conducted 53 days of legislative hearings. The Congress enacted 3 private laws and 79 public laws within the jurisdiction of the Subcommittee. As discussed below, those of par-

ticular interest are the National Trails System Improvements Act of 1988, the Federal Land Exchange Facilitation Act of 1988, the Federal Cave Resources Protection Act of 1988, the Alaska Native Claims Settlement Act Amendments of 1987, the Arizona-Idaho Conservation Act of 1988, the Big Cypress National Preserve Addition Act, the National Forest and Public Lands of Nevada Enhancement Act of 1988, the Omnibus Oregon Wild and Scenic Rivers Act of 1988, the Washington Park Wilderness Act of 1988, the Omnibus Budget Reconciliation Act of 1987, and legislation relating to the establishment of the Vietnam Women's Memorial on Federal land in the District of Columbia, the expansion of a Manassas National Battlefield Park, and the study of aircraft flights over units of the National Park System.

National Trails System Improvements Act of 1988

As interest in walking, biking and hiking continues to grow, and pressure for more and better trails has emerged, abandoned railroads have become a growing source of new recreational trails. They are well suited to trail use since they often follow river corridors, traverse coastal plains, cross mountain valleys, and link neighboring towns and valleys. Public Law 100–470, the "National Trails System Improvements Act of 1988," facilitates such trail development and use by allowing the United States to retain its interest in certain abandoned rights-of-way and encouraging trail development on these rights-of-way.

The Act amends the National Trails System Act by adding new subsections which would (1) provide that in the event of future abandonments of railroad rights-of-way previously granted by the United States, the United States would retain whatever interest it may have in the abandoned railroad right-of-way; (2) direct the Federal management of the retained Federal interests in the affected rights-of-way including the use of those lands for trail use; and (3) provide for the transfer of lands outside the boundaries of a conservation system unit or National Forest to a State or local entity for public recreational purposes.

Federal Land Exchange Facilitation Act of 1988

In recognition of the need to adjust land ownership patterns to accommodate various public and private needs, Congress has on numerous occasions enacted legislation regarding land exchanges between the Federal Government and other public as well as private entities. While Public Law 100–409 does not change the basic thrust of existing law governing land exchanges, it does streamline exchange procedures, accelerate exchange timetables and establish rules and regulations that are more uniform and consistent from agency to agency.

Federal Cave Resources Protection Act of 1988

The purposes of Public Law 100–691 are to secure, protect, and preserve significant caves on Federal lands for the use, enjoyment and benefit of all people. The Act gives specific authority to the land-managing agencies for the management of significant caves located on Federal lands. It directs the Secretaries of the Interior and Agriculture to identify significant caves on Federal lands, reg-

ulate or restrict the use of significant caves, consider significant caves in the preparation and implementation of land management plans, allows the Secretary the authority to withhold information regarding the specific location of a significant cave, provides for permits for the collection or removal of cave resources, and establishes criminal penalties for destroying or disturbing significant caves or their resources.

Alaska Native Claims Settlement Act Amendments of 1987

In 1971, Congress enacted the Alaska Native Claims Settlement Act (ANCSA). The Act extinguished all claims of the Alaska Native people to the ownership of land and hunting and fishing rights based upon aboriginal use and occupancy, including the Prudhoe Bay oil field, the Trans-Alaska Pipeline corridor, and much of the land which had previously been selected by the State of Alaska pursuant to the Alaska Statehood Act.

In exchange for the extinguishment of Native claims to these valuable lands, ANCSA authorized Alaska Natives to select and be conveyed 44 million acres of other public land in Alaska and to be paid $962.5 million in settlement of their claims.

Alaska was divided into 12 geographic regions and Natives living in each region were authorized to organize a for-profit business corporation under the laws of the State of Alaska. Natives living in Native village, and several urban towns, in each region were authorized to organize either a for-profit or a nonprofit corporation. Every village organized a for-profit corporation.

The Act required the Secretary of the Interior to prepare a roll of Alaska Natives who were alive on December 18, 1971, the date ANCSA was enacted into law—80,239 Alaska Natives were placed on the roll. Each Native on the roll was then issued 100 shares of stock in the Regional Corporation representing the region and, if he or she so elected, 100 shares of stock in the village or Urban Corporation representing the village in which he or she resides. For 20 years after the date of enactment of the Act, shares of stock in all Native Corporations cannot be sold, pledged, subjected to a lien or judgment execution, assigned or otherwise alienated.

On December 18, 1991, the Act required each Corporation to recall its old stock and issue new, unrestricted stock which can be freely transferred or sold. Public Law 100–241 modifies this requirement to provide certain additional options for the continued ownership of the stock received pursuant to ANCSA.

Arizona-Idaho Conservation Act

Public Law 100–696, the Arizona-Idaho Conservation Act of 1988, incorporates several bills dealing primarily with lands in Arizona and Idaho. Among the major provisions of the Act are:

San Pedro Riparian National Conservation Area

Title I of Public Law 100–696 establishes the San Pedro Riparian National Conservation Area along 30 miles of the San Pedro River in southeastern Arizona. The 56,431 acre conservation area provides a rare example of desert riparian habitat. The Act directs the Secretary to manage the area in a manner that conserves, protects and enhances the riparian area and the aquatic, wildlife, archeo-

logical, paleontological, scientific, cultural, educational and recreational resources of the conservation area.

Arizona-Florida Land Exchange

Title IV of Public Law 100–696, the Arizona-Florida Land Exchange Act of 1988, ratifies an exchange agreement which provides for the exchange of property in Phoenix, Arizona under the jurisdiction of the Department of the Interior with property in Florida owned by the Collier family.

The Act provides for the closure of the Phoenix Indian High School at the end of the 1991 school year. The site occupies about 105 acres in downtown Phoenix. The school, which serves students of Indian tribes throughout Arizona, has been faced with a dwindling enrollment over the past several years.

Part of the property will be donated to the City of Phoenix for use as open space, and to the Veterans' Administration to facilitate the expansion of the Veterans' hospital, which is adjacent to the Indian School property. The remaining 68 acres will be exchanged with the Collier family.

As its part of the exchange, the Collier family will transfer approximately 108,000 acres of land in south Florida, most of which would be added to the Big Cypress National Preserve as authorized by Public Law 100–301 (which is described below). In addition, the Collier family will pay about $34.8 million in cash which will be used to establish educational trust funds to compensate the Indian tribes for the closure of the school.

Santa Rita Public Lands Exchange

Title V of Public Law 100–696, the Santa Rita Public Lands Exchange, authorizes a series of land exchanges between various State and Federal land management agencies. Specifically, the Act provides for the exchange from the State of Arizona to the Federal Government of Catalina State Park, State lands within the Buenos Aires National Wildlife Refuge, the Black Canyon Corridor, the Madera-Elephant Trail Head area, and lands near Lake Pleasant. The act also provides for the transfer from the Federal Government to the State of a portion of the Santa Rita Experiment Station property.

The Arizona Constitution requires that State trust lands must be managed so as to return the highest possible income to the State. This has caused some concern as to the future of Catalina State Park, as lease payments to the State from the Arizona State Park Department have been raised significantly to reflect the fair market value of the surrounding area. A similar problem existed within State lands inside the boundaries of the Buenos Aires National Wildlife Refuge. The Act authorizes the Federal Government to acquire these and other State lands to ensure that these environmentally important areas remain protected.

Big Cypress National Preserve Addition Act

The Big Cypress National Preserve, which was established in 1974, contains about 575,000 acres of marshlands. The Preserve lies directly north of Everglades National Park, and is an extension of the unique ecosystem of the Everglades, containing large numbers

of plant and animal species found nowhere else in North America, including 21 rare or endangered species.

Public Law 100-301, the Big Cypress National Preserve Addition Act authorizes the acquisition of approximately 136,000 acres to the Preserve. This acquisition is necessary to ensure the protection of vital water supplies which flow into the Everglades. The area to be acquired is also the habitat of the Florida Panther, an endangered species.

National Forest and Public Lands of Nevada Enhancement Act of 1988

Public Law 100-550, the National Forest and Public Lands of Nevada Enhancement Act of 1988, transfers jurisdiction of approximately 23,000 acres of Federal land in Nevada from the Forest Service to the Bureau of Land Management, and approximately 895,000 acres from the Bureau of Land Management to the Forest Service. The purpose of this Act is to consolidate ownership within the respective agencies in order to promote more efficient land management and administration.

Omnibus Oregon Wild and Scenic Rivers Act of 1988

The Wild and Scenic River Act of 1968 provides that rivers which possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or similar values, should be preserved in a free-flowing condition, and that they and their immediate environments should be protected for the benefit of present and future generations.

Public Law 100-557, the Omnibus Oregon Wild and Scenic Rivers Act of 1988, adds segments of 41 rivers in the State of Oregon, totaling 1,435 miles, as components of the National Wild and Scenic Rivers System. This represents the largest single effort to enlarge the Wild and Scenic Rivers System in the lower 48 States since the System was created in 1968.

Washington Park Wilderness Act of 1988

Public Law 100-668, the Washington Park Wilderness Act of 1988, designates wilderness areas within Olympic National Park, Mount Rainier National Park and North Cascades National Park Complex.

The Wilderness Act of 1964 included a provision directing the Forest Service, Fish and Wildlife Service, and the National Park Service to review tracts of roadless land 5,000 acres or larger to determine their suitability as wilderness. With regard to the State of Washington, its statewide National Forest System wilderness bill was enacted in 1984, and a number of wilderness areas in units of the National Wildlife Refuge System were designated in the mid-1970's. The Washington Park Wilderness Act, which deals with roadless lands within the boundaries of national parks, will virtually complete the roadless area review mandate for the State of Washington.

The Act designates 871,730 acres of wilderness in Olympic National Park, 634,614 acres in North Cascades National Park, and 216,855 acres in the North Cascades National Park Service Complex. The Act also designates "potential wilderness" areas, which

are lands included within the wilderness boundary but not yet acquired by the Federal Government, or lands on which there is some incompatible use. This designation gives the Secretary of the Interior the authority to designate these lands as wilderness, without further congressional action, at such time as the lands are acquired or the incompatible use is terminated.

Omnibus Budget Reconciliation Act of 1987

The Subcommittee also considered three issues which ultimately became part of Public Law 100–203, the Omnibus Budget Reconciliation Act of 1987. The first issue considered in the reconciliation measure was that of entrance fees for units of the National Park System. While seven Federal land managing agencies are authorized to charge fees at areas where specialized outdoor recreation facilities, equipment, or services are provided at Federal expense, only the National Park Service and the Fish and Wildlife Service collect entrance fees. Title V of the reconciliation measure makes permanent increases in entrance fees for units of the National Park System and specifies the manner in which the fee revenues are distributed back to the fee collecting agencies or directly to the various park units. The Act also directs that revenues from National Park Service entrance and recreation fees and from recreation fees charged by other Federal land management agencies be used only for resource protection, research and certain maintenance activities.

Secondly, Title V of Public Law 100–203 re-authorizes the Land and Water Conservation Fund (LWCF) for another 25 years at its current appropriations ceiling of $900 million annually. It also directs that moneys appropriated for the Land and Water Conservation Fund be used only for the purposes for which the Fund was created, i.e. the purchase of lands for inclusion in Federal conservation system units or for grants to States for a variety of conservation and recreation purposes.

Finally, Title V includes language that replaces the $40 million annual direct spending for the Tongass Timber Supply Fund, included in Section 705(a) of the Alaska National Interest Lands Conservation Act, with a $40 million authorization, for a 2 year period of time. Beginning on October 1, 1987 and extending until September 30, 1989, the Tongass Timber Supply Fund is subject to appropriations.

Vietnam Women's Memorial

In 1980, Congress passed legislation which authorized the building of a memorial on a 2.2 acre parcel of land on the Mall, in the District of Columbia, to be built "in honor and recognition of the men and women of the Armed Forces of the United States who served in the Vietnam War." In 1982, the Vietnam Veterans Memorial was completed and dedicated. Two years later, a statue of three infantrymen and a flag pole were added nearby.

Public Law 100–660 authorizes the Vietnam Women's Memorial Project, Inc., to establish a memorial on Federal land in the District of Columbia or its environs to honor women who served in the Armed Forces of the United States in Vietnam. While the Act does not direct that the memorial be placed on any particular site

within the District of Columbia, the Act does include a provision expressing the sense of the Congress that the most fitting and appropriate place for the women's memorial is within the 2.2 acre site of the Vietnam Veterans Memorial.

Manassas National Battlefield Park Expansion

Manassas National Battlefield Park, established in 1940, preserves and interprets the battlefields where two major Civil War battles, First Manassas and Second Manassas, were fought. In 1986, the Prince William County Board of Supervisors considered a proposal to construct a mixed residential/nonresidential development on the William Center Tract, a parcel of land adjacent to the existing park. In January, 1988, the developer of the proposed project announced his intention to construct a 1.2 million square foot shopping mall, major office space and residential development on the site, within the zoning authority provided.

The Committee reported legislation which provided for a legislative taking of the William Center Tract, and added the land to the park, thus precluding development of the area. The measure also directed the Secretary of the Interior to conduct a study of the traffic through the park and authorized funds for the rerouting of traffic if the Secretary determines it necessary.

This measure was added as an amendment to the Tax Corrections Act of 1988, (Public Law 100-647).

National Park Overflights

During the last several years, a controversy has emerged concerning aircraft flights at low elevations above certain units of the National Park System. Until now, there has been no systematic study of the park system to determine how widespread and how severe the problem is, or to determine the noise levels of different types of aircraft flying at different elevations.

Public Law 100-91 requires the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over units of the National Park System. The Act also establishes specific limitations on flights over Yosemite and Haleakala National Parks during the study and congressional review period, and sets specific limitations and statutory direction for flights over Grand Canyon National Park.

MEASURES ENACTED INTO LAW

Private Law 100-16 (S. 892), Mr. Garn, Mr. Matsunaga and Mr. Melcher: An Act to remove the right of reversion to the United States in lands owned by the Shriners Hospitals for Crippled Children on land formerly owned by the United States in Salt Lake County, Utah.

Private Law 100-29 (H.R. 4642), Mr. Bevill: An Act to provide for the reinstatement of the canceled entry of William A. Wright to certain lands in Lamar County, Alabama.

Private Law 100-34 (H.R. 4050), Mr. McCandless: An Act for the relief of certain persons in Riverside County, California who purchased land in good faith reliance on an existing private land survey.

Public Law 100-33 (H.R. 14), Mr. Hughes: An Act to designate certain river segments in New Jersey as study rivers for potential inclusion in the national wild and scenic river system.

Public Law 100-35 (H.R. 240), Mr. Richardson, et al.: An Act to amend the National Trails System Act to designate the Santa Fe Trail as a National Historic Trail.

Public Law 100-55 (S. 626), Mr. Bradley, et al.: An Act to prohibit the imposition of an entrance fee at the Statue of Liberty National Monument, and for other purposes.

Public Law 100-63 (H.R. 191), Mr. Miller, et al.: An Act to authorize the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior.

Public Law 100-65 (H.R. 626), Mr. Bevill: An Act to provide for the conveyance of certain public lands in Cherokee, De Kalb, and Etowah Counties, Alabama, and for other purposes.

Public Law 100-85 (S. 958), Mr. Johnston, et al.: An Act to dedicate the North Cascades National Park to Senator Henry M. Jackson.

Public Law 100-91 (H.R. 921), Mr. Coelho, el al.: An Act to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over national park system units.

Public Law 100-127 (H.R. 1744), Mr. Vento, et al.: An Act to amend the National Historic Preservation Act to extend the authorization for the Historic Preservation Fund.

Public Law 100-130 (H.R. 242), Mr. Roth: An Act to provide for the conveyance of certain public lands in Oconto and Marinette Counties, Wisconsin.

Public Law 100-132 (H.R. 797), Mr. Kostmayer, et al.: An Act to authorize the donation of certain non-Federal lands to Gettysburg National Military Park and to require a study and report on the final development of the park.

Public Law 100-133 (H.R. 1205), Mr. Chappell: An Act to direct the Secretary of Agriculture to release a reversionary interest of the United States in certain land located in Putnam County, Florida, and to direct the Secretary of the Interior to convey certain mineral interests of the United States in such land to the state of Florida.

Public Law 100-149 (H.R. 317), Mr. Coelho, et al.: An Act to amend the Wild and Scenic Rivers Act by designating a segment of the Merced River in California as a component of the National Wild and Scenic Rivers System.

Public Law 100-150 (H.R. 799), Mr. Lehman of CA, et al.: An Act to designate a segment of the Kings River in California as a wild and scenic river and for other purposes.

Public Law 100-157 (H.R. 1366), Mr. Kyl: An Act to provide for the transfer of certain lands in the State of Arizona, and for other purposes.

Public Law 100-174 (S. 247), Mr. Cranston and Mr. Wilson: An Act to designate the Kern River as a national wild and scenic river.

Public Law 100-187 (S. 1297), Mr. Graham, et al.: An Act to amend the National Trails System Act to provide for a study of the De Soto Trail, and for other purposes.

Public Law 100-192 (S. 578), Mr. Ford and Mr. McConnell: An Act to amend the National Trails System Act to designate the Trail of Tears as a National Historic Trail.

Public Law 100-201 (H.R. 2325), Mr. Smith of TX, et al.: An Act to authorize the acceptance of a donation of land for addition to Big Bend National Park, in the State of Texas.

Public Law 100-206 (H.R. 2416), Mr. Ray, et al.: An Act to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes.

Public Law 100-211 (H.R. 2121), Mr. Darden, et al.: An Act to authorize and direct the National Park Service to assist the State of Georgia in relocating a highway affecting the Chickamauga and Chattanooga National Military Park in Georgia.

Public Law 100-225 (H.R. 403), Mr. Richardson, et al.: An Act to establish the El Malpais National Monument and the El Malpaid National Conservation Area in the State of New Mexico, to authorize the Masau Trail, and for other purposes.

Public Law 100-230 (H.R. 1454), Mr. Parris: An Act to permit certain private contributions for construction of the Korean War Veterans Memorial to be invested temporarily in Government securities until such contributed amounts are required for disbursement for the memorial.

Public Law 100-241 (H.R. 278), Mr. Young of AK: An Act to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate share received pursuant to the Act, and for other purposes.

Public Law 100-249 (H.R. 1983), Mr. Bennett, et al.: An Act authorizing the Secretary of the Interior to preserve certain wetlands and historic and prehistoric sites in the St. Johns River Valley, Florida, and for other purposes.

Public Law 100-250 (H.R. 2566), Mrs. Boggs: An Act to amend the National Parks and Recreation Act of 1978, as amended, to extend the term of the Delta Region Preservation Commission, and for other purposes.

Public Law 100-265 (S.J. Res. 216), Mr. Johnston: An Act approving the location of the Black Revolutionary War Patriots Memorial.

Public Law 100-267 (S.J. Res. 225), Mr. Johnston: An Act approving the location of the Korean War Memorial.

Public Law 100-275 (S. 854), Mr. Hecht and Mr. Reid: An Act entitled the "Nevada-Florida Land Exchange Authorization Act of 1988".

Public Law 100-295 (H.J. Res. 347), Mr. Bates, et al.: An Act recognizing the identical plaques initiated by Sami Bandak, created by Margareta Hennix and Ginvanni Bizzini, and depicting the Cakmare Nyckel, the ships that brought the first Swedish settlers to North America, as significant symbols of the "year of New Sweden"; and providing for the placement of one of such plaques at Fort Christina in the State of Delaware.

Public Law 100-298 (S. 858), Mr. Bradley, et al.: An Act to establish the title of States in certain abandoned shipwrecks, and for other purposes.

Public Law 100-301 (S. 90), Mr. Chiles and Mr. Graham: An Act to establish the Big Cypress National Preserve Addition in the State of Florida, and for other purposes.

Public Law 100-336 (H.R. 1100), Mr. Michel: An Act to authorize the Secretary of the Interior to provide assistance to Wildlife Prairie Park, in the State of Illinois, and for other purposes.

Public Law 100-337 (H.R. 3869), Mr. Nichols: An Act to amend the Act providing for the establishment of the Tuskegee Institute National Historic Site, Alabama, to authorize an exchange of properties between the United States and Tuskegee University, and for other purposes.

Public Law 100-348 (H.R. 1044), Mr. Udall, et al.: An Act to establish the San Francisco Maritime National Historical Park in the State of California, and for other purposes.

Public Law 100-349 (H.R. 2652), Mr. Mavroules, et al.: An Act to revise the boundaries of Salem Maritime National Historic Site in the Commonwealth of Massachusetts, and for other purposes.

Public Law 100-395 (H.R. 2629), Mr. Young of AK: An Act to amend the Alaska National Interest Lands Conservation Act of 1980 to clarify the conveyance and ownership of submerged lands by Alaska Natives, Native Corporations and the State of Alaska.

Public Law 100-409 (H.R. 1860), Mr. Vento, et al.: An Act entitled the "Federal Land Exchange Facilitation Act of 1988".

Public Law 100-410 (H.R. 3431), Mr. Hutto: An Act to release a revisonary interest of the United States in a certain parcel of land located in Bay County, Florida.

Public Law 100-412 (H.R. 3880), Mr. McDade, et al.: An Act to extend the authorization of the Upper Delaware Citizens Advisory Council for an additional ten years.

Public Law 100-421 (H.R. 3960), Mr. Ravenel, et al.: An Act to authorize the establishment of the Charles Pinckney National Historic Site in the State of South Carolina, and for other purposes.

Public Law 100-433 (H.R. 1939), Mr. Vento, et al.: An Act to provide for continuing interpretation of the Constitution in appropriate units of the National Park System by the Secretary of the Interior, and to establish a national center for the United States Constitution within the Independence National Historical Park in Philadelphia, Pennsylvania.

Public Law 100-470 (S. 1544), Mr. Metzenbaum, et al.: An Act to amend the National Trails System Act to provide for cooperation with State and local governments for the improved management of certain Federal lands, and for other purposes.

Public Law 100-475 (H.R. 2952), Mr. Horton, et al.: An Act to increase the amount authorized to be appropriated for acquisition at the Women's Rights National Historical Park.

Public Law 100-479 (H.R. 4457), Mr. Dowdy, et al.: An Act to create a national park in Natchez, Mississippi.

Public Law 100-486 (S. 1165), Mr. Bradley and Mr. Lautenberg: An Act to authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pinelands National Reserve, in the State of New Jersey.

Public Law 100-488 (H.R. 4028), Mr. Stallings, et al.: An Act to authorize the Secretary of Agriculture to exchange certain National Forest System lands in the Targhee National Forest.

Public Law 100-499 (H.R. 4354), Mr. Watkins: An Act to designate certain National Forest System lands in the State of Oklahoma for inclusion in the National Wilderness Preservation System, create the Winding Stair Mountain National Recreation and Wilderness Area, and for other purposes.

Public Law 100-515 (S. 2057), Mr. Bradley and Mr. Lautenberg: An Act to provide for the establishment of the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes.

Public Law 100-524 (S. 2018), Mr. Thurmond and Mr. Hollings: An Act to expand the boundaries of the Congaree Swamp National Monument, to designate wilderness therein, and for other purposes.

Public Law 100-528 (H.R. 4554), Mr. Byron, et al.: An Act to remove certain restrictions on land acquisition for Antietam National Battlefield.

Public Law 100-529 (H.R. 5059), Mr. Harris: An Act to quiet title and possession with respect to a certain private land claim in Sumter County, Alabama.

Public Law 100-534 (H.R. 900), Mr. Rahall, et al.: An Act to protect and enhance the natural, scenic, cultural, and recreational values of certain segments of the New, Gauley, Meadow, and Bluestone Rivers in West Virginia for the benefit of present and future generations, and for other purposes.

Public Law 100-535 (H.R. 990), Mr. Rahall, et al.: An Act to direct the Secretary of the Interior to convey a certain parcel of land located near Ocotillo, California.

Public Law 100-537 (H.R. 4375), Mr. Kildee, et al.: An Act to improve the management of certain public lands in the State of Michigan.

Public Law 100-541 (H.R. 4777), Mr. Coleman of TX: An Act to modify the boundary of the Guadalupe Mountains National Park, and for other purposes.

Public Law 100-550 (S. 59), Mr. Hecht and Mr. Reid: An Act entitled the "National Forest and Public Lands Nevada Enhancement Act of 1988".

Public Law 100-552 (S. 1704), Mr. Melcher and Mr. Baucus: An Act to authorize the establishment of the Lewis and Clark National Historic Trail Interpretive Center in the State of Montana, and for other purposes.

Public Law 100-554 (S. 1914), Mr. Humphrey and Mr. Rudman: An Act to designate a segment of the Wildcat River in the State of New Hampshire as a component of the National Wild and Scenic Rivers System, and for other purposes.

Public Law 100-555 (S. 1985), Mr. Domenici and Mr. Bingaman: An Act to improve the protection and management of archeological resources on Federal land.

Public Law 100-557 (S. 2148), Mr. Hatfield and Mr. Packwood: An Act to amend the Wild and Scenic Rivers Act of 1968, and for other purposes.

Public Law 100-558 (S. 2436), Mr. Riegle and Mr. Levin: An Act to reauthorize the Sleeping Bear Dunes National Lakeshore Advisory Commission.

Public Law 100-559 (S. 2545), Mr. Bingaman and Mr. Domenici: An Act to redesignate Salinas National Monument in the State of New Mexico, and for other purposes.

Public Law 100-560 (H.R. 775), Mr. Huckaby, et al.: An Act to provide for the establishment of the Poverty Point National Monument, and for other purposes.

Public Law 100-564 (H.R. 3559), Mr. Chappell: An Act to authorize and direct the acquisition of lands for Canaveral National Seashore, and for other purposes.

Public Law 100-571 (H.R. 4818), Mr. Vento, et al.: An Act to establish the National Park of American Samoa.

Public Law 100-573 (H.R. 5001), Mr. Roukema: An Act to establish the Delaware Water Gap National Recreation Area Citizen Advisory Commission.

Public Law 100-586 (H.R. 2806), Mr. Byron: An Act to amend the Federal Land Policy and Management Act of 1976, to permit temporary use for military purposes of public lands in Alaska managed by the Bureau of Land Management, Department of the Interior, and for other purposes.

Public Law 100-588 (H.R. 4068), Mr. Gejdenson, et al.: An Act to amend the Archaeological Resources Protection Act of 1979 to strengthen the enforcement provisions of that Act, and for other purposes.

Public Law 100-633 (S. 850), Mr. Bingaman and Mr. Domenici: An Act to amend the Wild and Scenic Rivers Act to designate a segment of the Rio Chama River in New Mexico as a component of the National Wild and Scenic Rivers System.

Public Law 100-648 (H.R. 4362), Mr. Udall, et al.: An Act to amend section 3 of the Act of June 14, 1926, as amended to authorize the issuance of patents with a limited reverter provision of lands devoted to solid waste disposal, and for other purposes.

Public Law 100-660 (S. 2042), Mr. Durenberger, et al.: An Act to authorize the Vietnam Women's Memorial Project, Inc., to establish a memorial on Federal land in the District of Columbia or its environs to honor women of the Armed Forces of the United States who served in the Republic of Vietnam during the Vietnam era.

Public Law 100-665 (S. 253), Mr. DeConcini and Mr. McCain: An Act to convey Forest Service land to Flagstaff, Arizona.

Public Law 100-668 (S. 2165), Mr. Evans and Mr. Adams: An Act to designate wilderness within Olympic National Park, Mount Rainier National Park, and North Cascades National Park Service Complex in the State of Washington, and for other purposes.

Public Law 100-691 (H.R. 1975), Mr. Boucher, et al.: An Act to protect cave resources on Federal lands, and for other purposes.

Public Law 100-692 (H.R. 3957), Mr. Kostmayer, et al.: An Act to establish the Delaware and Lehigh Navigation Canal National Heritage Corridor in the Commonwealth of Pennsylvania.

Public Law 100-693 (H.R. 4039), Mr. Stark, et al.: An Act to declare that certain lands in the State of California which form a part of the right-of-way granted by the United States to the Central Pacific Railway Company have been abandoned, and for other purposes.

Public Law 100-698 (H.R. 3313), Mr. Murtha, et al.: An Act to establish in the Department of the Interior the Southwestern Penn-

sylvania Heritage Preservation Commission, and for other purposes.

Public Law 100-699 (H.R. 3680), Mr. Marlenee, et al.: An Act to revoke certain public land orders, transfer certain public lands, and for other purposes.

Public Law 100-701 (H.R. 4212), Mr. Rangel, et al.: An Act to amend the Joint Resolution of April 27, 1962, to permit the Secretary of the Interior to establish the former home of Alexander Hamilton as a national memorial at its present location in New York, New York.

RELATED PUBLIC LAWS

Public Law 100-134 (H.R. 2035), Mr. Atkins, et al.: An Act to amend the Act establishing Lowell National Historical Park, and for other purposes.

Public Law 100-203 (H.R. 3547), Mr. Gray: Omnibus Budget Reconciliation Act of 1987 (Title V).

Public Law 100-205 (H.R. 1994): An Act to amend the boundaries of Stones River National Battlefield, Tennessee, and for other purposes.

Public Law 100-338 (H.R. 4799), Mr. Vento: An Act to extend the withdrawal of certain public lands in Lincoln County, Nevada.

Public Law 100-355 (H.R. 2203), Mrs. Boggs: An Act to increase the amount authorized to be appropriated with respect to the Sewall-Belmont House National Historic Site.

Public Law 100-415 (H.R. 4754), Mr. Udall, et al.: An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes.

Public Law 100-563 (H.R. 3408), Mr. Owens of Utah, et al.: An Act to authorize additional appropriations for the Central Utah Project, to implement a settlement with the Strawberry Water Users, to expand the John Muir Historic Site, to prohibit the expansion of any reservoir within the boundaries of Yosemite National Park, and for other purposes.

Public Law 100-567 (H.R. 4182), Mr. Richardson: An Act to authorize the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes.

Public Law 100-605 (H.R. 3614), Mr. Morrison of Washington, et al.: An Act to authorize a study of the Hanford Reach of the Columbia River, and for other purposes.

Public Law 100-647 (H.R. 4333), Mr. Rostenkowski: A bill to make technical corrections relating to the Tax Reform Act of 1986, and for other purposes.

Public Law 100-696 (S. 2840), Mr. Johnston: An Act to provide for the designation and conservation of certain lands in the States of Arizona and Idaho, and for other purposes.

Public Law 100-708 (H.R. 2839), Mr. Hansen: An Act to correct historical and geographical oversights in the establishment and development of the Utah component of the Confederated Tribes of the Goshute Reservation, to unify the land base of the Goshute

Reservation, to simplify the boundaries of the Goshute Reservation, and for other purposes.

OTHER MEASURES ACTIVELY CONSIDERED

S. 7, Mr. Cranston and Mr. Metzenbaum: A bill to provide for the protection of the public lands in the California desert. (Hearings held. S. Hrg. 100–272.)

S. 56, Mr. Domenici and Mr. Bingaman: A bill to establish the El Malpais National Monument, the Masau Trail, and the Grants National Conservation Area in the State of New Mexico, and for other purposes. (Hearings held. S. Hrg. 100–8.) (Full committee business meeting; H.R. 403 ordered reported in lieu of S. 56. S. Rept. 100–100.) (See Public Law 100–225.)

S. 84, Mr. Johnston, et al.: A bill to amend the Land and Water Conservation Fund Act of 1965. (Full committee business meeting.) (Indefinitely postponed.) (See Title V of Public Law 100–203.)

S. 251, Mr. Bradley and Mr. Lautenberg: A bill to designate certain segments of the Maurice, the Manantico, and the Manumuskin Rivers in New Jersey as study rivers for inclusion in the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 100–18.) (See Public Law 100–33.)

S. 252, Mr. DeConcini and Mr. McCain: A bill to establish a San Pedro Riparian National Conservation Area. (Hearings held. S. Hrg. 100–103.) (Reported to the Senate with amendments. S. Rept. 100–525.) (Indefinitely postponed.) (See Public Law 100–696.)

S. 261, Mr. Matsunaga, et al.: A bill to authorize the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior. (Hearings held. S. Hrg. 100–94.) (H.R. 191 ordered reported in lieu of S. 261. S. Rept. 100–69.) (See Public Law 100–63.)

S. 275, Mr. Wilson and Mr. Cranston: A bill to amend the Wild and Scenic Rivers Act. (Hearings held. S. Hrg. 100–61.) (See Public Law 100–149.)

S. 349, Mrs. Kassebaum, et al.: A bill to designate the Santa Fe Trail as an Historic Trail under the National Trails Systems Act. (Hearings held. S. Hrg. 100–18.) (See Public Law 10–35.)

S. 451, Mr. Matsunaga, et al.: A bill to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over National Park System units. (Hearings held. S. Hrg. 100–94.) (H.R. 921 ordered reported in lieu of S. 451 with an amendment in the nature of a substitute. S. Rept. 100–97) (See Public Law 100–91.)

S. 574, Mr. Hecht and Mr. Reid: A bill entitled the "Battle Mountain Pasture Restoration Act of 1987." (Hearings held. S. Hrg. 100–313.) (Reported to the Senate without amendment. S. Rept. 100–194.) (Passed Senate with amendment.)

S. 575, Mr. Hecht and Mr. Reid: A bill to convey public land to the Catholic Diocese of Reno/Las Vegas, Nevada. (Hearings held. S. Hrg. 100–103.) (Reported to the Senate with amendment. S. Rept. 100–195.) (Passed Senate.) (See Public Law 100–699.)

S. 693, Mr. Sasser, Mr. Gore and Mr. Sanford: A bill to designate certain lands in the Great Smoky Mountains National Park as wilderness, to provide for settlement of all claims of Swain County, North Carolina, against the United States under the agreement

dated July 30, 1943, and for other purposes. (Hearings held. S. Hrg. 100–172.) (H.R. 1495 reported to the Senate in lieu of S. 693 with an amendment in the nature of a substitute. S. Rept. 100–297.)

S. 695, Mr. Helms: A bill to designate certain land in the great Smoky Mountains National Park as wilderness, and for other purposes. (Hearings held. S. Hrg. 100–172.

S. 708, Mr. Proxmire, et al.: A bill to require annual appropriations of funds to support timber management and resource conservation on the Tongass National Forest. (Hearings held. S. Hrg. 100–548.) (Related provisions to S. 708 included in Public Law 100–203.)

S. 735, Mr. Johnston: A bill to amend the Land and Water Conservation Fund Act of 1965, and for other purposes. (Hearings held. S. Hrg. 100–253.)

S. 761, Mr. Harkin, Mr. Grassley, and Mr. Garn: A bill to provide for the establishment of a Western Historic Trails Center in the State of Iowa, and for other purposes. (Hearings held. S. Hrg. 100–521.)

S. 927, Mr. Daschle, et al.: A bill to protect caves resources on Federal lands, and for other purposes. (Hearings held. S. Hrg. 100–863.) (H.R. 1975 reported to the Senate in lieu of S. 927 with an amendment in the nature of a substitute. S. Rept. 100–691.) (See Public Law 100–691.)

S. 963, Mr. Sasser and Mr. Gore: A bill to amend the boundaries of Stones River National Battlefield, Tennessee, and for other purposes. (Hearings held. S. Hrg. 100–521.) (Reported to the Senate without amendment. S. Rept. 100–243.) (Indefinitely postponed.) (See Public Law 100–205.)

S. 1012, Mr. Kerry and Mr. Kennedy: A bill to increase the amount authorized to be appropriated for property acquisition, restoration, and development, and for transportation, educational, and cultural programs, relating to the Lowell National Historical Park; to continue the term of a member of the Lowell Historic Preservation Commission pending the appointment of a successor; to adjust a quorum of the Commission in the event of a vacancy; and to delay the termination of the Commission. (Hearings held. S. Hrg. 100–313.) (Reported to the Senate without amendment. No report.) (Indefinitely postponed.) (See Public Law 100–134.)

S. 1052. Mr. Specter, et al.: A bill to establish a National Center for the U.S. Constitution within the Independence National Historical Park in Philadelphia, PA. (Hearings held. S. Hrg. 100–704.) (See Public Law 100–433.)

S. 1138, Mr. Reid: A bill to designate certain lands in the State of Nevada as wilderness, and for other purposes. (Hearings held. S. Hrg. 100–324.)

S. 1145, Mr. Murkowski and Mr. Stevens: A bill to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the Act, and for other purposes. (Hearings held. S. Hrg. 100–160.) (H.R. 278 reported in lieu of S. 1145 with an amendment in the nature of a substitute. S. Rept. 100–201.) (See Public Law 100–241.)

S. 1259, Mr. Bumpers: A bill to direct the Secretary of the Interior to permit access across certain Federal lands in the State of Arkansas, and for other purposes. (Hearings held. S. Hrg. 100–313.)

(Reported to the Senate without amendment. S. Rept. 100–176.) (Passed Senate.) (Passed House.) (Vetoed by President.)

S. 1272, Mr. Bingaman and Mr. Domenici: A bill to withdraw certain public lands in Eddy County, New Mexico. (Hearings held. S. Hrg. 100–609.) (Reported to the Senate with an amendment in the nature of a substitute S. Rept. 100–522.) (Indefinitely postponed.)

S. 1290, Mr. Sasser and Mr. Gore: A bill to direct the Secretary of the Interior to acquire certain real property adjacent to the Andrew Johnston National Historic Site in Greeneville, TN, for inclusion within the national cemetery located in that site. (Hearings held. S. Hrg. 100–313, Pt. 2.)

S. 1314, Mr. Domenici and Mr. Armstrong: A bill to amend the Archeological Resources Protection Act of 1979 to prohibit attempted excavation, removal or defacing, and to reduce the felony threshold value of illegally removed artifacts to $500. (Hearings held. S. Hrg. 100–943.) (See Public Law 100–588.)

S. 1335, Mr. McClure and Mr. Symms: A bill to establish the Ctiy of Rocks National Reserve in the State of Idaho, and for other purposes. (Hearings held. S. Hrg. 100–475, S. Hrg. 100–543.) (Reported to the Senate with an amendment. S. Rept. 100–245.) (See Public Law 100–696.)

S. 1461, Mr. Hecht and Mr. Reid: A bill to convey certain lands to the YMCA of Las Vegas, Nevada. (Hearings held. S. Hrg. 100–764.)

S. 1478, Mr. Baucus: A bill to designate certain National Forest System lands in the State of Montana for release to the forest planning process, protection of recreational value, and inclusion in the National Wilderness Preservation System, and for other purposes. (Hearings held. S. Hrg. 100–697.) (See S. 2751.)

S. 1508, Mr. Johnston, (by request): A bill to withdraw and reserve for the Department of the Air Force certain Federal lands within Lincoln County, Nevada, and for other purposes. (Hearings held. S. Hrg. 100–634.) (Reported to the Senate without amendment. No report.) (Passed Senate.) (Passed House with amendment.) (Senate concurred with House amendment with amendment.) (House disagreed to Senate amendment.) (See Public Law 100–338.)

S. 1513, Mr. Heinz, et al.: A bill to provide for the inclusion of the Washington Square area within Independence National Park, and for other purposes. (Hearings held. S. Hrg. 100–704.)

S. 1570, Mr. Wilson: A bill to withdraw and reserve for the Department of the Navy certain Federal lands within Inyo Kern, San Bernardino, and Imperial Counties, CA, and for other purposes. (Hearings held. S. Hrg. 100–634.)

S. 1593, Mr. Bingaman: A bill to designate the site of the Glorieta Battle in the Civil War as a national historic site. (Hearings held. S. Hrg. 100–699.)

S. 1643, Mr. Simon, et al.: A bill to establish the Mississippi River National Heritage Corridor. (Hearings held. S. Hrg. 100–866.)

S. 1675, Mr. McClure and Mr. Cochran: A bill to provide for the establishment of the Hagerman Fossil Beds National Monument in the State of Idaho, and for other purposes. (Hearings held. S. Hrg. 100–543.) (Reported to the Senate with an amendment in the

nature of a substitute.) (S. Rept. 100-246.) (Passed Senate.) (See Public Law 100-696.)

S. 1682, Mr. Conrad and Ms. Mukulski: A bill to increase the amount authorized to be appropriated with respect to the Sewall-Belmont House National Historic Site. (Hearings held. S. Hrg. 100-704.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 100-356.) (Indefinitely postponed.) (See Public Law 100-355.)

S. 1687, Mr. Garn and Mr. Hatch: A bill to correct historical and geographical oversights in the establishment and development of the Utah component of the Confederated Tribes of the Goshute Reservation, to unify the land base of the Goshute Reservation, and for other purposes. (Hearings held. S. Hrg. 100-764.) (H.R. 2839 ordered reported in lieu of S. 1687. S. Rept. 100-549.) (See Public Law 100-708.)

S. 1690, Mr. Conrad and Mr. Burdick: A bill to amend the Historic Sites, Buildings, and Antiquities Act of 1935, and for other purposes. (Hearings held. S. Hrg. 100-704.) (Reported to the Senate with an amendment to the title. S. Rept. 100-366.) (Passed Senate.)

S. 1693, Mr. Bingaman, et al.: A bill to amend the National Trails System Act to provide for a study of the Coronado Trail, and for other purposes. (Hearings held. S. Hrg. 100-699.) (Reported to the Senate with an amendment to the title. S. Rept. 100-367.) (Passed Senate.) (Passed House with amendment.) (See Public Law 100-559.)

S. 1720, Mr. Rockefeller, et al.: A bill to protect and enhance the natural scenic, cultural and recreational values of certain segments of the New Gauley, Meadow and Bluestone Rivers in West Virginia for the benefit of present and future generations, and for other purposes. (Hearings held. S. Hrg. 100-739.) (See Public Law 100-534.)

S. 1849, Mr. Melcher and Mr. Baucus: A bill for the relief of Mr. Conwell F. Robinson and Mr. Gerald R. Robinson. (Hearings held. S. Hrg. 100-764.) (Reported to the Senate without amendment. S. Rept. 100-527.) (Passed Senate.)

S. 1850, Mr. Evans and Mr. Adams: A bill to amend the Wild and Scenic Rivers Act to designate a section of the Columbia River in Washington as a study area for inclusion in the National Wild and Scenic Rivers System, and for other purposes. (Hearings held. S. Hrg. 100-739.) (Reported to the Senate with amendments. S. Rept. 100-368.) (See Public Law 100-605.)

S. 1912, Mr. Bingaman and Mr. Domenici: A bill to authorize a study of the feasibility of establishing a National Mimbres Museum in Silver City, NM, and for other purposes. (Hearings held. S. Hrg. 100-699.) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 100-433.) (Passed Senate with amendment.) (See Public Law 100-559.)

S. 1927, Mr. Hatch and Mr. Garn: A bill to provide for the approval of a desert land entry in the vicinity of the Dinosaur National Monument, and for other purposes. (Hearings held. S. Hrg. 100-745.) (Reported to the Senate with an amendment to the title. S. Rept. 100-370) (Passed Senate.) (Passed House with amendment.) (See Public Law 100-653.)

S. 1967, Mr. Boren and Mr. Nickles: A bill to provide for the establishment of the Tall Grass Prairie National Preserve in the State of Oklahoma, and for other purposes. (Hearings held. S. Hrg. 100-871.)

S. 2055, Mr. McClure and Mr. Murkowski: A bill to designate certain national forest system lands in the State of Idaho for inclusion in the National Wilderness Preservation System, to prescribe certain management formulas for certain national forest system lands, and to release other forest lands for multiple-use management, and for other purposes. (Hearings held. S. Hrg 100-690, Pts. 1 and 2.)

S. 2058, Mr. Thurmond and Mr. Hollings: A bill to authorize the establishment of the Charles Pinckney National Historic Site in the State of South Carolina, and for other purposes. (Hearings held. S. Hrg. 100-866.) (See Public Law 100-421.)

S. 2157, Mr. Bingaman and Mr. Domenici: A bill to authorize three feasibility studies to be conducted in New Mexico dealing with the San Gabriel Historic Landmark, the significance of the Los Luceros Hacienda, and the establishment of an interpretive center to highlight the first colonization of the interior of the United States in New Mexico. (Hearings held. S. Hrg. 100-699.) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 100-434.) (Passed Senate with an amendment.) (See Public Law 100-559.)

S. 2264, Mr. Domenici and Mr. Bingaman: A bill to authorize the Secretary of the Interior to exchange certain Federal mining rights for certain lands in New Mexico. (Hearings held. S. Hrg. 100-764.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 100-571.) (Passed Senate.) (See Public Law 100-559.)

S. 2285, Mr. Simms, Mr. Wallop, and Mr. Simpson: A bill to authorize the Secretary of Agriculture to exchange certain national forest lands in the Targhee National Forest. (Full Committee business meeting.) (Reported H.R. 4028 in lieu of S. 2285 to Senate.) (See Public Law 100-488.)

S. 2318, Mr. Johnston (by request): A bill to amend the Pennsylvania Development Corporation Act of 1982 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes. (Full Committee business meeting, reported to the Senate with an amendment. S. Rept. 100-462.) (Indefinitely postponed.) (See Public Law 100-415.)

S. 2352, Mr. DeConcini and Mr. McCain: A bill to provide for the transfer of certain lands in the State of Arizona and and for other purposes. (Hearing held. S. Hrg. 100-894.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 100-553.) (Indefinitely postponed.) (See Public Law 100-696.)

S. 2420, Mr. McCain, et al.: A bill to provide for the disposition of certain lands in Arizona under the jurisdiction of the Department of the Interior by means of an exchange of lands, and for other purposes. (Jointly referred to Select Committee on Indian Affairs.) (Joint hearings held with Select Committee on Indian Affairs. S. Hrg. 100-939.) (See Public Law 100-696.)

S. 2457, Mr. Melcher: A bill to transfer certain lands in the State of Montana and to relieve the town of Neihart, Montana, of any obligation to pay consideration for lands conveyed to it under authority of the Small Tracts Act. (Full committee business meeting, reported to the Senate without amendment. S. Rept. 100-528.) (Passed Senate.)

S. 2565, Mr. Sarbanes and Ms. Mikulski: A bill to remove restrictions on land acquisition for Antietam National Battlefield. (Hearing held. S. Hrg. 100-313, Pt. 2. (Reported to the Senate without amendment. S. Rept. 100-529.) (Indefinitely postponed.) (See Public Law 100-528.)

S. 2586, Mr. Heinz: A bill to establish the Delaware and Lehigh Navigation Canal National Heritage Corridor in the Commonwealth of Pennsylvania. (Hearings held. S. Hrg. 100-313, Pt. 2.) (Reported to the Senate with amendment S. Rept. 100-530.) (Indefinitely postponed.) (See Public Law 100-529.)

S. 2617, Mr. Bingaman and Mr. Domenici: A bill to revise the boundary of Aztec Ruins National Monument in the State of New Mexico, and for other purposes. (Hearing held. S. Hrg. 100-943.) (Reported to the Senate with amendment. S. Rept. 100-573.) (Indefinitely postponed.) (See Public Law 100-559.)

S. 2750, Mr. Domenici amd Mr. Bingaman: A bill to authorize a study on methods to commemorate the national significant contributions of Georgia O'Keeffe. (Hearings held. S. Hrg. 100-943.) (Reported to the Senate with amendment. S. Rept. 100-574.) (Indefinitely postponed.) (See Public Law 100-559.)

S. 2767, Mr. Byrd and Mr. Domenici: A bill to authorize a study of the history and culture of Warm Springs, New Mexico, in order to preserve its historic and cultural legacy for future generations. (Hearings held. S. Hrg. 100-943.) (Reported to the Senate without amendment. S. Rept. 100-575.) (Indefinitely postponed.) (See Public Law 100-559.)

H.R. 568, Mr. Kolbe, et al.: A bill to establish the San Pedro Riparian National Conservation Area in Cochise County, Arizona, in order to assure the protection of the riparian, wildlife, archeological, paleontological, scientific culture, educational, and recreational resources of the conservation area, and for other purposes. (Hearings held. S. Hrg. 100-103.) (See Public Law 100-696.)

H.R. 1173, Mr. Leham of CA, et al.: A bill to provide for certain restrictions on the use of lands within boundaries of national parks and monuments. (Hearings held. S. Hrg. 100-863.) (One provision of H.R. 1173 dealing with Hetch Hetchy Reservoir, California, was included in Public Law 100-563.)

H.R. 1320, Mr. Vento, et al.: A bill to amend the Land and Water Conservation Fund Act of 1956, and for other purposes. (Hearings held. S. Hrg. 100-59.) (Reported to the Senate amendment in the nature of a substitute. S. Rept. 100-86.) (Indefinitely postponed.) (See Title V of Public Law 100-203.)

H.R. 1495, Mr. Clarke, et al.: A bill to designate certain lands in Great Smoky Mountains National Park as wilderness, to provide for settlement of all claims of Swain County, North Carolina, against the United States under the agreement dated July 30, 1943, and for other purposes. (Full Committee business meeting, reported

in lieu of S. 693 with an amendment in the nature of a substitute. S. Rept. 100-297.)

H.R. 1548, Mr. Byron, et al.: A bill to withdraw certain Federal lands in the State of California for military purposes, and for other purposes. (Hearings held. S. Hrg. 100-634.)

H.R. 2090, Mr. Williams: A bill to designate certain National Forest System lands in the State of Montana for release to the forest planning process, protection of recreation value, and inclusion in the National Wilderness Preservation System, and for other purposes. (Hearings held. S. Hrg. 100-697.) (See S. 2751.)

H.R. 2530, Mr. Vento, et al.: A bill to provide for the establishment of the Mississippi Naticnal River and Recreation Area, and for other purposes. (Hearings held. S. Hrg. 100-313, Pt. 2.) (See Public Law 100-696.)

H.R. 2596, Mr. Young, of AK, et al.: A bill to improve Federal management of lands of Admiralty Island Alaska. (Full Committee business meeting, reported to the Senate with an amendment in the nature of a substitute. S. Rept. 100-531.) (Passed Senate.) (House agreed to Senate amendment.) (Vetoed by President.)

H.R. 2641, Mrs. Byron, et al.: A bill to amend the National Trails System Act to provide for cooperation with State and local governments, for the improved management of certain Federal lands, and for other purposes. (Full Committee business meeting, text of H.R. 2641 adopted as an amendment in the nature of a substitute to S. 1544.) (See Public Law 100-470.)

H.R. 4315, Mr. Miller, of CA, et al.: A bill to provide for the inclusion of certain lands within the John Muir National Historic Site. (Hearings held. S. Hrg. 100-313. Pt. 2.) (Provisions similar to H.R. 4315 were included in Public Law 100-563.)

H.R. 4519, Mr. Udall, et al.: A bill to provide for the disposition of certain lands in Arizona under the jurisdiction of the Department of the Interior by means of an exchange of lands, and for other purposes. (Full Committee business meeting, reported to the Senate with amendments. S. Rept. 100-539.) (Indefinitely postponed.) (See Public Law 100-696.)

H.R. 4526, Mr. Andrews, et al.: A bill to provide for the addition of approximately 600 acres to the Manassas National Battlefield Park. (Hearing held. S. Hrg. 100-933.) (Reported to the Senate with an amendment, S. Rept. 100-520.) (Incorporated in Public Law 100-647.)

RELATED MEASURES

S. 2162, Mr. Bingaman and Mr. Domenici: A bill to provide for the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes. (Joint hearings held with Select Committee on Indian Affairs, S. Hrg. 100-699.) (Reported to the Senate with an amendment in the nature of a substitute by Senate Select Committee on Indian Affairs. S. Rept. 100-354.) (Passed Senate with amendment.) (See Public Law 100-567.)

S. 2751, Mr. Melcher: A bill to designate certain lands in Montana as wilderness, to release other forest lands for multiple use management, and for other purposes. (Full committee business meeting, reported to the Senate with an amendment in the nature of a substitute. No report.) (Passed Senate with amendment.) (Passed House.) (Vetoed by President.)

SUBCOMMITTEE ON WATER AND POWER

BILL BRADLEY, New Jersey, *Chairman*
KENT CONRAD, North Dakota, *Vice Chairman*

DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
HOWARD M. METZENBAUM, Ohio
TIMOTHY E. WIRTH, Colorado
DANIEL J. EVANS, Washington
MARK O. HATFIELD, Oregon
FRANK H. MURKOWSKI, Alaska
MALCOLM WALLOP, Wyoming
DON NICKLES, Oklahoma

JURISDICTION

Jurisdiction of the Subcommittee includes oversight and legislative responsibilities for irrigation; reclamation projects, including related flood control purposes; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; groundwater resources and management; small power producers; hydroelectric power; low head hydro.

OVERSIGHT ACTIVITIES

The Subcommittee held 4 days of oversight hearings on 3 subjects as follows:

Groundwater resources, related management and regulatory activities in the State of New Jersey.

Consideration of recommendations of the Garrison Unit Joint Tribal Advisory Committee (joint hearing with Select Committee on Indian Affairs).

Current water-related programs of the United States Geological Survey and the Environmental Protection Agency with emphasis on groundwater.

LEGISLATIVE ACTIVITIES

During the 100th Congress 34 Senate bills, and 7 House bills were referred to the Subcommittee. In addition, 4 House-passed measures concerning matters within the jurisdiction of the Subcommittee were held at the Senate desk or placed on the Senate calendar without referral. Finally, amendments concerning matters within the Subcommittee's jurisdiction were made to various legislative vehicles.

The Subcommittee held 7 days of hearings on 12 of the bills referred to it, including:

For the relief of the City of Minot, North Dakota (S. 641);

To amend the Reclamation Authorization Act of 1976 (S. 649);

Colorado Ute Indian Water Rights Settlement Act of 1987 (S. 1415);

To authorize certain elements of the Yakima River Basin Water Enhancement Project (S. 1435);

To increase the authorization ceiling for the Closed Basin Division, San Luis Valley Project, Colorado (S. 1549);

Umatilla Basin Project Act (S. 1613);

Providing for the completion of the Colorado River Storage Project (S. 1737);

To prohibit the licensing of certain facilities on portions of the Salmon and Snake Rivers in Idaho (S. 2102);

Reclamation Groundwater Management and Technical Assistance Study Act of 1988 (S. 2108);

To authorize certain elements of the Yakima River Basin Water Enhancement Project (S. 2322); and

To authorize the Lyman-Jones, West River and Oglala Sioux Rural Water Development Projects (S. 1416).

Of the bills referred to the Subcommittee, 15 became public laws. Those that were enacted directly or as part of other bills referred to the Subcommittee or Committee are listed below under "Measures Enacted Into Law." Bills referred to the Subcommittee that were enacted as part of legislative vehicles which were never referred to the Subcommittee are listed under the subheading of "Related Public Laws." This subheading also includes measures within the Subcommittee's jurisdiction that were enacted but never referred to the Subcommittee.

Those matters of particular interest were:

San Luis Rey Indian Water Rights and Relining of the All American Canal

Public Law 100-675 creates a framework for the settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians and authorizes the lining of the All American Canal. Title I of the Act provides that as part of a final settlement of outstanding water litigation and other claims between the Mission Indian Bands, the United States, and certain California governmental entities: (1) the Secretary of the Interior shall provide a supplemental water supply of 16,000 acre feet for the benefit of the Mission Bands and the governmental entities; and (2) the establishment of the San Luis Rey Tribal Development Fund. The Act authorizes the appropriation of $30,000,000 into the Fund plus interest. Title II of the Act authorizes the lining of the All American Canal to prevent seepage and the marketing of water saved thereby to certain municipal water and irrigation districts in southern California. The Act does not authorize the appropriation of funds for lining the canal, but allows the construction to be funded by the water districts to whom conserved water would be marketed.

Colorado Ute Indian Water Rights Settlement Act of 1988

Public Law 100-585 enacted certain provisions which are necessary for the settlement of water rights claims of the Ute Mountain Ute Indian Tribe and the Southern Ute Indian Tribe. The Act authorizes the Secretary of the Interior to supply water to the Tribes from the Animas La Plata and Dolores Projects in accordance with the terms of a previous settlement of litigation between the Tribes, the United States, the State of Colorado and other parties. The Act places various restrictions and permissions on the use of water ob-

tained by the Tribes; establishes certain repayment policies for project water supplied to the Tribes; and authorizes the appropriation of $49,500,000 for two tribal development funds.

Disaster Assistance Act of 1988

Subtitle B of Title IV of Public Law 100-387 enacts various provisions related to the reclamation program. The subtitle requires the Secretary of the Interior to take various action, including conservation, management and necessary construction, towards the mitigation of losses and damages from drought conditions in 1987, 1988, and 1989. The subtitle also allows the Secretary to take other action, including the making of loans and temporary water contracts, for purposes of mitigating losses and damages during these years. The authorities set out in the subtitle generally expire on December 31, 1989. Finally, Subtitle B authorizes construction of a control curtain at Shasta Dam to be used in regulating the temperature of water releases for purposes of protecting and enhancing anadromous fish.

MEASURES ENACTED INTO LAW

Public Law 100-196 (S. 649), Mr. Evans and Mr. Adams: An Act to amend the Reclamation Authorization Act of 1976.

Public Law 100-675 (S. 795), Mr. Cranston and Mr. Wilson: An Act to provide for the settlement of water right claims of the La Jolla, Rincon, San Pasqual, Pauman, and Pala Bands of Mission Indians in San Diego County, California, and for other purposes.

Public Law 100-516 (H.R. 2772), Mr. Johnson: An Act to authorize construction of the Mni Wiconi Rural Water Supply Project, and for other purposes; incorporates provisions identical or similar to:

(S. 55), Mr. Pressler and Mr. Daschle: To authorize the Lyman-Jones and West River rural water development projects;

(S. 1255), Mr. Armstrong and Mr. Wirth: To provide for the accelerated repayment of the Grand Valley Project, and for other purposes;

(S. 1416), Mr. Daschle and Mr. Pressler: To authorize the Lyman-Jones, West River and Oglala Sioux Rural Water Development projects;

(S. 1549), Mr. Wirth and Mr. Armstrong: To increase the authorization ceiling for the Closed Basin Division, San Luis Valley Project, Colorado;

(S. 2225), Mr. Adams and Mr. Evans: To authorize the Secretary of the Interior to take corrective action to protect certain portions of the Franklin County, WA, road system within the Federal Columbia Basin reclamation project:

(S. 2748), Mr. Armstrong: To extend the authorization in Public Law 96-309 to design and construct a gunite lining on certain reaches of the Bessemer Ditch in the vicinity of Pueblo, Colorado;

(H.R. 3819), Mr. Sweeney: To prohibit additional appropriations for the analysis and study for the Shaws Bend site of the Colorado Coastal Plains project.

Public Law 100-557 (S. 2148), Mr. Hatfield and Mr. Packwood: An Act to amend the Wild and Scenic Rivers Act of 1968, and for other purposes; incorporates provisions similar to:

(S. 1613), Mr. Hatfield: To authorize the Secretary of the Interior to construct, operate and maintain the Umatilla Basin Project, Oregon, and for other purposes.

Public Law 100-677 (S. 2102), Mr. McClure: An Act to prohibit the licensing of certain facilities on portions of the Salmon and Snake Rivers in Idaho, and for other purposes.

Public Law 100-490 (H.R. 4267), Mr. Johnson ((S. 2257), Mr. Daschle and Mr. Pressler): An Act to authorize additional appropriations for the WEB Rural Water Development Project.

RELATED PUBLIC LAWS

Public Law 100-563 (H.R. 3408), Mr. Owens ((S. 1737), Mr. Garn, Mr. Hatch, Mr. DeConcini et al.): An Act to authorize additional appropriations for the Central Utah Project, to implement a settlement with the Strawberry Water Users, to expand the John Muir Historic Site, to prohibit the expansion of any reservoir within the boundaries of Yosemite National Park, and for other purposes.

Public Law 100-202 (H.J. Res. 395): Making further continuing appropriations for the fiscal year 1988, and for other purposes; incorporates provisions identical or similar to:

(S. 640), Mr. Burdick and Mr. Conrad: For the relief of the City of Dickinson, North Dakota;

(S. 641), Mr. Burdick and Mr. Conrad: For the relief of the City of Minot, North Dakota;

(H.R. 2818), Mr. Sharp et al.: Providing exemption from certain Federal and State laws for solar small power production facilities.

Public Law 100-585 (H.R. 2642), Mr. Campbell et al. ((S. 1415), Mr. Armstrong, Mr. Wirth, Mr. Domenici and Mr. Bingaman): An Act to facilitate and implement the settlement of Colorado Ute Indian reserved water rights claims in southwest Colorado, and for other purposes.

Public Law 100-512 (H.R. 4102), Mr. Udall et al. ((S. 2153), Mr. DeConcini and Mr. McCain): An Act to provide for the settlement of the water rights claims of the Salt River Pima-Maricopa Indian Community in Maricopa County, Arizona, and for other purposes.

Public Law 100-387 (H.R. 5015), Mr. de la Garza et al.: An Act to provide drought assistance to agricultural producers and for other purposes; includes subtitle B of Title IV relating to reclamation assistance.

Public Law 100-203 (H.R. 3545), An Act to provide for reconciliation pursuant to section 4 of the concurrent resolution on the budget for the fiscal year 1988; includes section 5302 accomplishing certain amendments to the Reclamation Reform Act of 1982.

Public Law 100-345 (H.R. 4448), Mr. Fauntroy et al.: An Act to designate the Cleveland, Ohio General Mail Facility and Main Office in Cleveland, Ohio as the "John O. Holly Building of the United States Postal Service"; incorporates provisions of (S. 528), Mr. McCain and Mr. DeConcini: To designate the Granite Reef Aq-

ueduct of the Central Arizona Project as the "Hayden Rhodes Aqueduct".

OTHER MEASURES ACTIVELY CONSIDERED

S. 214, Mr. Symms and Mr. McClure: A bill to direct the Federal Energy Regulatory Commission to issue an order with respect to Docket No. EL-85-38-000. (Reported to the Senate without amendment. S. Rept. 100-8.) (Passed Senate.) (Referred to the House Committee on Energy and Commerce.)

S. 640, Mr. Burdick and Mr. Conrad: A bill for the relief for the city of Dickinson, North Dakota. (Reported to Senate without amendment. S. Rept. 100-65.) (See Public Law 100-202.)

S. 641, Mr. Burdick and Mr. Conrad: A bill for the relief of the city of Minot, North Dakota. (Hearing held. S. Hrg. 100-338.) (See Public Law 100-202.)

S. 1415, Mr. Armstrong, Mr. Wirth, Mr. Domenici, and Mr. Bingaman: A bill to facilitate and implement the settlement of Colorado Ute Indian reserved water rights claims in southwest Colorado, and for other purposes. (Joint hearing with Indian Affairs Committee held. S. Hrg. 100-630.) (Reported to Senate. S. Rept. 100-555.) (See Public Law 100-585.)

S. 1416, Mr. Daschle and Mr. Pressler: A bill to authorize the Lyman-Jones, West River and Oglala Sioux Rural Water Development Projects. (Hearing held. S. 100-626.) (See Public Law 100-516.)

S. 1431. Mr. Daschle and Mr. Pressler: A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Lake Andes-Wagner Unit and the Marty II Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, South Dakota. (Hearing held. S. Hrg. 100-626.)

S. 1435, Mr. Evans and Mr. Adams: A bill to authorize certain elements of the Yakima River Basin Water Enhancement Project, and for other purposes. (Hearing by Subcommittee in Yakima, Washington. S. Hrg. 100-535).

S. 1549, Mr. Wirth and Mr. Armstrong: A bill to increase the authorization ceiling for the Closed Basin Division, San Luis Valley Project, Colorado. (Hearing held. S. Hrg. 100-338.) (See Public Law 100-516.)

S. 1613, Mr. Hatfield: A bill to authorize the Secretary of the Interior to construct, operate and maintain the Umatilla Basin Project, Oregon, and for other purposes. (Hearings held. S. Hrg. 100-917, S. Hrg. 100-614.) (Reported to Senate with amendment in the nature of a substitute. S. Rept. 100-488.) (See Public Law 100-557.)

S. 1737, Mr. Garn, Mr. Hatch, Mr. DeConcini, Mr. McCain, Mr. McClure, Mr. Symms, Mr. Wallop, Mr. Domenici, Mr. Wirth, Mr. Armstrong, Mr. Hecht, Mr. Simpson, Mr. Reid, Mr. Bingaman, Mr. Burdick, Mr. Conrad, Mr. Adams, Mr. Evans, Mr. Murkowski, Mr. Wilson, Mr. Stevens, and Mr. Hatfield: A bill providing for the completion of the Colorado Rivers Storage Project. (Hearing held. S. Hrg. 100-877.) (See Public Law 100-563 and 100-585.)

S. 2108, Mr. Bradley and Mr. Moynihan: A bill to authorize the Secretary of the Interior to conduct the Reclamation Ground Water Management and Technical Assistance Study. (Hearing by Subcom-

mittee. S. Hrg. 100–877.) (Reported to the Senate with an amendment. S. Rept. 100–489.)

S. 2322, Mr. Evans and Mr. Adams: A bill to authorize certain elements of the Yakima River Basin Water Enhancement Project, and for other purposes. (Hearing by Subcommittee. S. Hrg. 100–917.)

S. 2748, Mr. Armstrong: A bill to extend the authorization in Public Law 96–309 to design and construct a gunite lining on certain reaches of the Bessemer Ditch in the vicinity of Pueblo, Colorado. (Reported to Senate with an amendment in the nature of a substitute. S. Rept. 100–518.) (See Public Law 100–516.)

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